

SUMMARY OF PAST POLICY, AND OF MORE  
IMMEDIATE EVENTS, IN RELATION  
TO THE PACIFIC AREA

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MESSAGE

FROM THE

PRESIDENT OF THE UNITED STATES

TRANSMITTING

A SUMMARY OF THE PAST POLICY OF THIS COUNTRY  
IN RELATION TO THE PACIFIC AREA AND OF THE  
MORE IMMEDIATE EVENTS LEADING UP TO  
THIS JAPANESE ONSLAUGHT UPON  
OUR FORCES AND TERRITORY



DECEMBER 15, 1941.—Referred to the Committee on Foreign Affairs  
and ordered to be printed with accompanying documents

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UNITED STATES  
GOVERNMENT PRINTING OFFICE  
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# SUMMARY OF THE PAST POLICY OF THIS COUNTRY IN RELATION TO THE PACIFIC AREA AND OF THE MORE IMMEDIATE EVENTS LEADING UP TO THIS JAPANESE ONSLAUGHT UPON OUR FORCES AND TERRITORY.

*To the Congress of the United States of America:*

On December 8, 1941, I presented to the Congress a message in person asking for a declaration of war as an answer to the treacherous attack made by Japan the previous day upon the United States. For the information of the Congress, and as a public record of the facts, I am transmitting this historical summary of the past policy of this country in relation to the Pacific area and of the more immediate events leading up to this Japanese onslaught upon our forces and territory. Attached hereto are the various documents and correspondence implementing this history.

## I

A little over a hundred years ago, in 1833, the United States entered into its first Far Eastern treaty, a treaty with Siam. It was a treaty providing for peace and for dependable relationships.

Ten years later Caleb Cushing was sent to negotiate and in 1844 there was concluded our first treaty with China.

In 1853, Commodore Perry knocked on Japan's doors. In the next few years those doors began to open; and Japan, which had kept itself aloof from the world, began to adopt what we call western civilization. During those early years, the United States used every influence it could exert to protect Japan in her transition stage.

With respect to the entire Pacific area, the United States has consistently urged, as it has for all other parts of the globe, the fundamental importance to world peace of fair and equal treatment among nations. Accordingly whenever there has been a tendency on the part of any other nation to encroach upon the independence and sovereignty of countries of the Far East, the United States has tried to discourage such tendency wherever possible.

There was a period when this American attitude was especially important to Japan. At all times it has been important to China and to other countries of the Far East.

At the end of the nineteenth century, the sovereignty of the Philippine Islands passed from Spain to this country. The United States pledged itself to a policy toward the Philippines designed to equip them to become a free and independent nation. That pledge and that policy we have consistently carried out.

At that time there was going on in China what has been called the scramble for concessions. There was even talk about a possible partitioning of China. It was then that the principle of the "open door"

in China was laid down. In 1900, the American Government declared that its policy was to—

seek a solution which may bring about permanent safety and peace to China \* \* \* protect all rights guaranteed to friendly powers by treaty and international law, and safeguard for the world the principle of equal and impartial trade with all parts of the Chinese Empire.

Ever since that day, we have consistently and unfailingly advocated the principles of the open-door policy throughout the Far East.

In the year 1908 the Government of the United States and the Government of Japan concluded an agreement by an exchange of notes. In that agreement, the two Governments jointly declared that they were determined to support "by all pacific means at their disposal the independence and integrity of China and the principle of equal opportunity for commerce and industry of all nations in that Empire"; that it was "the wish of the two Governments to encourage the free and peaceful development of their commerce on the Pacific Ocean"; and that "the policy of both Governments" was "directed to the maintenance of the existing status quo" in that region.

The United States has consistently practiced the principles enunciated in that agreement.

In 1921, following the close of the first World War, nine powers having interests in the western Pacific met in conference in Washington. China, Japan, and the United States were there. One great objective of this conference was the maintenance of peace in the Pacific. This was to be achieved by reduction of armament and by regulation of competition in the Pacific and far eastern areas. Several treaties and agreements were concluded at that conference.

One of these was the Nine Power Treaty. (See Annex 1.) It contained pledges to respect the sovereignty of China and the principle of equal opportunity for the commerce and industry of all nations throughout China.

Another was a treaty between the United States, the British Empire, France, Italy, and Japan providing for limitation of naval armament. (See Annex 1.)

The course of events which have led directly to the present crisis began 10 years ago. For it was then—in 1931—that Japan undertook on a large scale its present policy of conquest in China. It began by the invasion of Manchuria, which was part of China. The Council and the Assembly of the League of Nations, at once and during many months of continuous effort thereafter, tried to persuade Japan to stop. The United States supported that effort. For example, the Government of the United States on January 7, 1932, specifically stated in notes sent to the Japanese and the Chinese Governments that it would not recognize any situation, treaty, or agreement brought about by violation of treaties. (See Annex 2.)

This barbaric aggression of Japan in Manchuria set the example and the pattern for the course soon to be pursued by Italy and Germany in Africa and in Europe. In 1933 Hitler assumed power in Germany. It was evident that, once rearmed, Germany would embark upon a policy of conquest in Europe. Italy—then still under the domination of Mussolini—also had resolved upon a policy of conquest in Africa and in the Mediterranean.

Through the years which followed, Germany, Italy, and Japan reached an understanding to time their acts of aggression to their

common advantage—and to bring about the ultimate enslavement of the rest of the world.

In 1934 the Japanese Minister for Foreign Affairs sent a friendly note to the United States, stating that he firmly believed that no question existed between the two Governments that was “fundamentally incapable of amicable solution.” He added that Japan had “no intention whatever to provoke and make trouble with any other power.” (See Annex 3.) Our Secretary of State, Cordell Hull, replied in kind. (See Annex 4.)

But in spite of this exchange of friendly sentiments, and almost immediately thereafter, the acts and utterances of the Japanese Government began to belie these assurances—at least so far as the rights and interests of other nations in China were concerned.

Our Government thereupon expressed to Japan the view of the American people, and of the American Government, that no nation has the right thus to override the rights and legitimate interests of other sovereign states. (See Annex 5.)

The structure of peace which had been founded upon the Washington Conference treaties began to be discarded by Japan. Indeed, in December of 1934, the Japanese Government gave notice of its intention to terminate the naval treaty of February 6, 1922, which had limited competition in naval armament. She thereafter intensified and multiplied her rearmament program.

In 1936 the Government of Japan openly associated itself with Germany by entering the anti-Comintern Pact.

This pact, as we all know, was nominally directed against the Soviet Union; but its real purpose was to form a league of fascism against the free world, particularly against Great Britain, France, and the United States.

Following this association of Germany, Italy, and Japan, the stage was now set for an unlimited campaign of conquest. In July 1937, feeling themselves ready, the armed forces of Japan opened new large-scale military operations against China. Presently her leaders, dropping the mask of hypocrisy, publicly declared their intention to seize and maintain for Japan a dominant position in the entire region of eastern Asia, the western Pacific, and the southern Pacific.

They thus accepted the German thesis that seventy or eighty million Germans were by race, training, ability, and might, superior in every way to any other race in Europe—superior to about four hundred million other human beings in that area. And Japan, following suit, announced that the seventy or eighty million Japanese people were also superior to the seven or eight hundred million other inhabitants of the Orient—nearly all of whom were infinitely older and more developed in culture and civilization than themselves. Their conceit would make them masters of a region containing almost one-half the population of the earth. It would give them complete control of vast sea lanes and trade routes of importance to the entire world.

The military operations which followed in China flagrantly disregarded American rights. Japanese armed forces killed Americans. They wounded or abused American men, women, and children. They sank American vessels—including a naval vessel, the *Panay*. They bombed American hospitals, churches, schools, and missions. They destroyed American property. They obstructed, and in some cases, drove out, American commerce.

In the meantime, they were inflicting incalculable damage upon China, and ghastly suffering upon the Chinese people. They were inflicting wholesale injuries upon other nations—flouting all the principles of peace and good will among men.

There are attached hereto (see respectively Annexes 6, 7, 8, and 9) lists of American nationals killed or wounded by Japanese forces in China since July 7, 1937; of American property in China reported to have been damaged, destroyed, or seriously endangered by Japanese air bombing or air machine-gunning; of American nationals reported to have been assaulted, arbitrarily detained, or subjected to indignities; of interferences with American nationals, rights, and interests. These lists are not complete. However, they are ample evidence of the flagrant Japanese disregard of American rights and civilized standards.

## II

Meanwhile, brute conquest was on the rampage in Europe and the Mediterranean.

Hitler and Mussolini embarked upon a scheme of unlimited conquest. Since 1935, without provocation or excuse they have attacked, conquered, and reduced to economic and political slavery some 16 independent nations. The machinery set up for their unlimited conquest included, and still includes, not only enormous armed forces, but also huge organizations for carrying on plots, intrigue, intimidation, propaganda, and sabotage. This machine—unprecedented in size—has world-wide ramifications; and into them the Japanese plans and operations have been steadily interlocked.

As the forces of Germany, Italy, and Japan increasingly combined their efforts over these years, I was convinced that this combination would ultimately attack the United States and the Western Hemisphere—if it were successful in the other continents. The very existence of the United States as a great free people, and the free existence of the American family of nations in the New World, would be a standing challenge to the Axis. The Axis dictators would choose their own time to make it clear that the United States and the New World were included in their scheme of destruction.

This they did last year, in 1940, when Hitler and Mussolini concluded a treaty of alliance with Japan deliberately aimed at the United States.

The strategy of Japan in the Pacific area was a faithful counterpart of that used by Hitler in Europe. Through infiltration, encirclement, intimidation, and finally armed attack, control was extended over neighboring peoples. Each such acquisition was a new starting point for new aggression.

## III

Pursuing this policy of conquest, Japan had first worked her way into and finally seized Manchuria. Next, she had invaded China; and has sought for the past 4½ years to subjugate her.

Passing through the China Sea close to the Philippine Islands she then invaded and took possession of Indochina. Today the Japanese are extending this conquest throughout Thailand—and seeking the occupation of Malaya and Burma. The Philippines, Borneo, Sumatra, Java come next on the Japanese timetable; and it is probable that

further down the Japanese page are the names of Australia, New Zealand, and all the other islands of the Pacific—including Hawaii and the great chain of the Aleutian Islands.

To the eastward of the Philippines, Japan violated the mandate under which she had received the custody of the Caroline, Marshall, and Mariana Islands after the World War by fortifying them, and not only closing them to all commerce but her own but forbidding any foreigner even to visit them.

Japanese spokesmen, after their custom, cloaked these conquests with innocent-sounding names. They talked of the "New Order in Eastern Asia"; and then of the "co-prosperity sphere in Greater East Asia". What they really intended was the enslavement of every nation which they could bring within their power, and the enrichment, not of all Asia, not even of the common people of Japan, but of the war lords who had seized control of the Japanese state. Here, too, they were following the Nazi pattern.

By this course of aggression, Japan made it necessary for various countries, including our own, to keep in the Pacific in self-defense large armed forces and a vast amount of material which might otherwise have been used against Hitler. That, of course, is exactly what Hitler wanted them to do. The diversion thus created by Hitler's Japanese ally forced the peace-loving nations to establish and maintain a huge front in the Pacific.

#### IV

Throughout this course and program of Japanese aggression, the Government of the United States consistently endeavored to persuade the Government of Japan that Japan's best interests would lie in maintaining and cultivating friendly relations with the United States and with all other countries that believe in orderly and peaceful processes. Following the outbreak of hostilities between Japan and China in 1937, this Government made known to the Japanese Government and to the Chinese Government that whenever both those Governments considered it desirable we stood ready to exercise our good offices. During the following years of conflict that attitude on our part remained unchanged.

In October 1937, upon invitation by which the Belgian Government made itself the host, 19 countries which have interests in the Far East, including the United States, sent representatives to Brussels to consider the situation in the Far East in conformity with the Nine Power Treaty and to endeavor to bring about an adjustment of the difficulties between Japan and China by peaceful means. Japan and Germany only of all the powers invited declined to attend. Japan was itself an original signatory of the treaty. China, one of the signatories, and the Soviet Union, not a signatory, attended. After the conference opened, the countries in attendance made further attempts to persuade Japan to participate in the conference. Japan again declined.

On November 24, 1937, the conference adopted a declaration, urging that "hostilities be suspended and resort be had to peaceful processes."

Japan scorned the conference and ignored the recommendation.

It became clear that, unless this source of affairs in the Far East was halted, the Pacific area was doomed to experience the same horrors which have devastated Europe.

Therefore, in this year of 1941, in an endeavor to end this process by peaceful means while there seemed still to be a chance, the United States entered into discussions with Japan.

For 9 months, these conversations were carried on, for the purpose of arriving at some understanding acceptable to both countries.

Throughout all of these conversations, this Government took into account not only the legitimate interests of the United States but also those of Japan and other countries. When questions relating to the legitimate rights and interests of other countries came up, this Government kept in appropriate contact with the representatives of those countries.

In the course of these negotiations, the United States steadfastly advocated certain basic principles which should govern international relations. These were:

The principle of inviolability of territorial integrity and sovereignty of all nations.

The principle of noninterference in the internal affairs of other countries.

The principle of equality—including equality of commercial opportunity and treatment.

The principle of reliance upon international cooperation and conciliation for the prevention, and pacific settlement, of controversies.

The Japanese Government, it is true, repeatedly offered qualified statements of peaceful intention. But it became clear, as each proposal was explored, that Japan did not intend to modify in any way her greedy designs upon the whole Pacific world. Although she continually maintained that she was promoting only the peace and greater prosperity of East Asia, she continued her brutal assault upon the Chinese people.

Nor did Japan show any inclination to renounce her unholy alliance with Hitlerism.

In July of this year the Japanese Government connived with Hitler to force from the Vichy government of France, permission to place Japanese armed forces in southern Indochina; and began sending her troops and equipment into that area.

The conversations between this Government and the Japanese Government were thereupon suspended.

But during the following month, at the urgent and insistent request of the Japanese Government, which again made emphatic profession of peaceful intent, the conversations were resumed.

At that time the Japanese Government made the suggestion that the responsible heads of the Japanese Government and of the Government of the United States meet personally to discuss means for bringing about an adjustment of relations between the two countries. I should have been happy to travel thousands of miles to meet the Premier of Japan for that purpose. But I felt it desirable, before so doing, to obtain some assurance that there could be some agreement on basic principles. This Government tried hard—but without success—to obtain such assurance from the Japanese Government.

The various proposals of the Japanese Government and the attitude taken by this Government are set forth in a document which the Secretary of State handed to the Japanese Ambassador on October 2, 1941. (See Annex 10.)

Thereafter, several formulas were offered and discussed. But the Japanese Government continued upon its course of war and conquest.

Finally, on November 20, 1941, the Japanese Government presented a new and narrow proposal (see Annex 11), which called for supplying by the United States to Japan of as much oil as Japan might require, for suspension of freezing measures, and for discontinuance by the United States of aid to China. It contained, however, no provision for abandonment by Japan of her warlike operations or aims.

Such a proposal obviously offered no basis for a peaceful settlement or even for a temporary adjustment. The American Government, in order to clarify the issues, presented to the Japanese Government on November 26, a clear-cut plan for a broad but simple settlement. (See Annex 12.)

The outline of the proposed plan for agreement between the United States and Japan was divided into two parts:

In section 1 there was outlined a mutual declaration of policy containing affirmations that the national policies of the two countries were directed toward peace throughout the Pacific area, that the two countries had no territorial designs or aggressive intentions in that area, and that they would give active support to certain fundamental principles of peace upon which their relations with each other and all other nations would be based. There was provision for mutual pledges to support and apply in their economic relations with each other and with other nations and peoples liberal economic principles, which were enumerated, based upon the general principle of equality of commercial opportunity and treatment.

In section 2 there were outlined proposed steps to be taken by the two Governments. These steps envisaged a situation in which there would be no Japanese or other foreign armed forces in French Indochina or in China. Mutual commitments were suggested along lines as follows: (a) To endeavor to conclude a multilateral nonaggression pact among the governments principally concerned in the Pacific area; (b) to endeavor to conclude among the principally interested governments an agreement to respect the territorial integrity of Indochina and not to seek or accept preferential economic treatment therein; (c) not to support any government in China other than the National Government of the Republic of China with capital temporarily at Chungking; (d) to relinquish extraterritorial and related rights in China and to endeavor to obtain the agreement of other governments now possessing such rights to give up those rights; (e) to negotiate a trade agreement based upon reciprocal most-favored-nation treatment; (f) to remove freezing restrictions imposed by each country on the funds of the other; (g) to agree upon a plan for the stabilization of the dollar-yen rate; (h) to agree that no agreement which either had concluded with any third power or powers shall be interpreted by it in a way to conflict with the fundamental purpose of this agreement; and (i) to use their influence to cause other governments to adhere to the basic political and economic principles provided for in this suggested agreement.

In the midst of these conversations, we learned that new contingents of Japanese armed forces and new masses of equipment were moving into Indochina. Toward the end of November these movements were intensified. During the first week of December new movements

of Japanese forces made it clear that, under cover of the negotiations, attacks on unspecified objectives were being prepared.

I promptly asked the Japanese Government for a frank statement of the reasons for increasing its forces in Indochina. (See Annex 13.) I was given an evasive and specious reply. (See Annex 14.) Simultaneously, the Japanese operations went forward with increased tempo.

We did not know then, as we know now, that they had ordered and were even then carrying out their plan for a treacherous attack upon us.

I was determined, however, to exhaust every conceivable effort for peace. With this in mind, on the evening of December 6 last, I addressed a personal message to the Emperor of Japan. (See Annex 15.)

To this Government's proposal of November 26 the Japanese Government made no reply until December 7. On that day the Japanese Ambassador here and the Special Representative whom the Japanese Government had sent to the United States to assist in peaceful negotiations, delivered a lengthy document to our Secretary of State, 1 hour after the Japanese had launched a vicious attack upon American territory and American citizens in the Pacific.

That document (see Annex 16) was a few minutes after its receipt aptly characterized by the Secretary of State as follows:

I must say that in all my conversations with you (the Japanese Ambassador) during the last 9 months I have never uttered one word of untruth. This is borne out absolutely by the record. In all my 50 years of public service I have never seen a document that was more crowded with infamous falsehoods and distortions—infamous falsehoods and distortions on a scale so huge that I never imagined until today that any Government on this planet was capable of uttering them.

I concur emphatically in every word of that statement.

For the record of history, it is essential in reading this part of my message always to bear in mind that the actual air and submarine attack in the Hawaiian Islands commenced on Sunday, December 7, at 1:20 p. m., Washington time; 7:50 a. m. Honolulu time of same day—Monday, December 8, 3:20 a. m. Tokyo time.

To my message of December 6 (9 p. m. Washington time—December 7, 11 a. m. Tokyo time) to the Emperor of Japan, invoking his cooperation with me in further effort to preserve peace, there has finally come to me on December 10 (6:23 a. m. Washington time—December 10, 8:23 p. m., Tokyo time) a reply conveyed in a telegraphic report by the American ambassador at Tokyo dated December 8, 1 p. m. (December 7, 11 p. m., Washington time).

The Ambassador reported that at 7 o'clock on the morning of the 8th (December 7, 5 p. m., Washington time) the Japanese Minister for Foreign Affairs asked him to call at his official residence; that the foreign minister handed the ambassador a memorandum dated December 8 (December 7, Washington time) the text of which had been transmitted to the Japanese ambassador in Washington to be presented to the American Government (this was the memorandum which was delivered by the Japanese ambassador to the Secretary of State at 2:20 p. m. on Sunday, December 7 (Monday, December 8, 4:20 a. m., Tokyo time)); that the foreign minister had been in touch with the Emperor; and that the Emperor desired that the memorandum be regarded as the Emperor's reply to my message.

Further, the Ambassador reports, the Foreign Minister made an oral statement. Textually, the oral statement began, "His Majesty has expressed his gratefulness and appreciation for the cordial message of the President". The message further continued to the effect that, in regard to our inquiries on the subject of increase of Japanese forces in French Indochina, His Majesty had commanded his Government to state its views to the American Government. The message concluded, textually, with the statement:

Establishment of peace in the Pacific, and consequently of the world, has been the cherished desire of His Majesty for the realization of which he has hitherto made his Government to continue its earnest endeavors. His Majesty trusts that the President is fully aware of this fact.

Japan's real reply, however, made by Japan's war lords and evidently formulated many days before, took the form of the attack which had already been made without warning upon our territories at various points in the Pacific.

There is the record, for all history to read in amazement, in sorrow, in horror, and in disgust!

We are now at war. We are fighting in self-defense. We are fighting in defense of our national existence, of our right to be secure, of our right to enjoy the blessings of peace. We are fighting in defense of principles of law and order and justice, against an effort of unprecedented ferocity to overthrow those principles and to impose upon humanity a regime of ruthless domination by unrestricted and arbitrary force.

Other countries, too—a host of them—have declared war on Japan. Some of them were first attacked by Japan, as we have been. China has already been valiantly resisting Japan in an undeclared war forced upon her by Japan. After 4½ years of stubborn resistance, the Chinese now and henceforth will fight with renewed confidence and confirmed assurance of victory.

All members of the great British Commonwealth, themselves fighting heroically on many fronts against Germany and her allies, have joined with us in the Battle of the Pacific as we have joined with them in the Battle of the Atlantic.

All but three of the governments of nations overrun by German armies have declared war on Japan. The other three are severing relations.

In our own hemisphere many of our sister republics have declared war on Japan and the others have given firm expression of their solidarity with the United States.

The following are the countries which have to date declared war against Japan:

Australia	The Netherlands
Canada	Nicaragua
China	New Zealand
Costa Rica	Panama
Cuba	El Salvador
Dominican Republic	South Africa
Guatemala	United Kingdom
Haiti	Poland
Honduras	

These and other peace-loving countries will be fighting as are we, first, to put an end to Japan's program of aggression and, second, to make good the right of nations and of mankind to live in peace under conditions of security and justice.

The people of this country are totally united in their determination to consecrate our national strength and manpower to bring conclusively to an end the pestilence of aggression and force which has long menaced the world and which now has struck deliberately and directly at the safety of the United States.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *December 15, 1941.*

#### ANNEXES

1. Senate Document No. 124, Sixty-seventh Congress, second session, which contains texts of Washington Conference treaties and resolutions.

2. Identic notes to the Japanese and the Chinese Governments, January 7, 1932.

3. Note from the Japanese Minister for Foreign Affairs, handed to the Secretary of State by the Japanese Ambassador, February 21, 1934.

4. Reply thereto, handed to the Japanese Ambassador by the Secretary of State on March 3, 1934.

5. Statement by the American Ambassador to Japan to the Japanese Minister for Foreign Affairs, April 29, 1934.

6. List of American nationals killed or wounded by Japanese forces in China since July 7, 1937.

7. List of American property in China reported to have been damaged, destroyed, or seriously endangered by Japanese air bombing or air machine-gunning since July 7, 1937.

8. List of American nationals reported to have been assaulted, arbitrarily detained, subjected to indignities, et cetera, since July 7, 1937, by Japanese authorities or agents.

9. List of Japanese interferences with American trade and enterprise in China.

10. Document handed by the Secretary of State to the Japanese Ambassador on October 2, 1941.

11. Document handed to the Secretary of State, by the Japanese Ambassador on November 20, 1941.

12. Document handed by the Secretary of State to the Japanese Ambassador on November 26, 1941.

13. Memorandum addressed by the President to the Secretary and the Under Secretary of State, copy of which, under authorization of the President, was read and handed by the Under Secretary of State to the Japanese Ambassador on December 2, 1941.

14. Reply thereto, handed to the Secretary of State by the Japanese Ambassador on December 5, 1941.

15. Personal message from the President to the Emperor of Japan, December 6, 1941.

16. Document handed by the Japanese Ambassador to the Secretary of State, December 7, 1941.

## ANNEX 1

[S. Doc. No. 124, 67th Cong., 2d sess.]

TREATIES AND RESOLUTIONS APPROVED AND ADOPTED  
BY THE CONFERENCE ON THE LIMITATION OF ARMA-  
MENT SUBMITTED BY THE PRESIDENT OF THE UNITED  
STATES TO THE SENATE FOR ADVICE AND CONSENT  
TO THEIR RATIFICATION

FEBRUARY 3 (calendar day, FEBRUARY 10), 1922.—Referred to the Committee  
on Foreign Relations and ordered to be printed and made public

## TREATIES

(1) A TREATY BETWEEN THE UNITED STATES OF AMERICA,  
THE BRITISH EMPIRE, FRANCE, ITALY, AND JAPAN,  
LIMITING NAVAL ARMAMENT

The United States of America,  
the British Empire, France, Italy  
and Japan;

Desiring to contribute to the  
maintenance of the general peace,  
and to reduce the burdens of  
competition in armament;

Have resolved, with a view to  
accomplishing these purposes, to  
conclude a treaty to limit their  
respective naval armament, and  
to that end have appointed as  
their Plenipotentiaries;

The President of the United  
States of America:

Charles Evans Hughes,  
Henry Cabot Lodge,  
Oscar W. Underwood,  
Elihu Root,

Citizens of the United  
States;

His Majesty the King of the  
United Kingdom of Great Britain  
and Ireland and of the British  
Dominions beyond the Seas, Em-  
peror of India:

The Right Honourable  
Arthur James Balfour,  
O. M., M. P., Lord  
President of His Privy  
Council;

The Right Honourable  
Baron Lee of Fareham,  
G. B. E., K. C. B.,  
First Lord of His Ad-  
miralty;

The Right Honourable  
Sir Auckland Campbell  
Geddes, K. C. B., His  
Ambassador Extraordi-  
nary and Plenipotentiary  
to the United States of  
America;

and

for the Dominion of Canada:

The Right Honourable  
Sir Robert Laird  
Borden, G. C. M. G.,  
K. C.;

for the Commonwealth of  
Australia:

Senator the Right Hon-  
ourable George Foster  
Pearce, Minister for  
Home and Territories;

for the Dominion of New Zea-  
land:

The Honourable Sir John  
William Salmond, K. C.,  
Judge of the Supreme  
Court of New Zealand;

for the Union of South Africa:

The Right Honourable  
Arthur James Balfour,  
O. M., M. P.;

for India:

The Right Honourable  
Valingman Sankaran-  
arayana Srinivasa  
Sastri, Member of the  
Indian Council of State;

The President of the French Republic:

Mr. Albert Sarraut, Deputy, Minister of the Colonies;

Mr. Jules J. Jusserand, Ambassador Extraordinary and Plenipotentiary to the United States of America, Grand Cross of the National Order of the Legion of Honour;

His Majesty the King of Italy:

The Honourable Carlo Schanzer, Senator of the Kingdom;

The Honourable Vittorio Rolandi Ricci, Senator of the Kingdom, His Ambassador Extraordinary and Plenipotentiary at Washington;

The Honourable Luigi Albertini, Senator of the Kingdom;

His Majesty the Emperor of Japan:

Baron Tomosaburo Kato, Minister for the Navy, Junii, a member of the First Class of the Imperial Order of the Grand Cordon of the Rising Sun with the Paulownia Flower;

Baron Kijuro Shidehara, His Ambassador Extraordinary and Plenipotentiary at Washington, Joshii, a member of the First Class of the Imperial Order of the Rising Sun;

Mr. Masanao Hanihara, Vice Minister for Foreign Affairs, Jushii, a member of the Second Class of the Imperial Order of the Rising Sun;

Who, having communicated to each other their respective full powers, found to be in good and due form, have agreed as follows:

## CHAPTER I

### GENERAL PROVISIONS RELATING TO THE LIMITATION OF NAVAL ARMAMENT

#### ARTICLE I

The Contracting Powers agree to limit their respective naval armament as provided in the present Treaty.

#### ARTICLE II

The Contracting Powers may retain respectively the capital ships which are specified in Chapter II, Part 1. On the coming into force of the present Treaty, but subject to the following provisions of this Article, all other capital ships, built or building, of the United States, the British Empire and Japan shall be disposed of as prescribed in Chapter II, Part 2.

In addition to the capital ships specified in Chapter II, Part 1, the United States may complete and retain two ships of the *West Virginia* class now under construction. On the completion of these two ships the *North Dakota* and *Delaware* shall be disposed of as prescribed in Chapter II, Part 2.

The British Empire may, in accordance with the replacement table in Chapter II, Part 3, construct two new capital ships not exceeding 35,000 tons (35,560 metric tons) standard displacement each. On the completion of the said two ships the *Thunderer*, *King George V*, *Ajax* and *Centurion* shall be disposed of as prescribed in Chapter II, Part 2.

#### ARTICLE III

Subject to the provisions of Article II, the Contracting Powers shall abandon their respective capital ship building programs,

and no new capital ships shall be constructed or acquired by any of the Contracting Powers except replacement tonnage which may be constructed or acquired as specified in Chapter II, Part 3.

Ships which are replaced in accordance with Chapter II, Part 3, shall be disposed of as prescribed in Part 2 of that Chapter.

#### ARTICLE IV

The total capital ship replacement tonnage of each of the Contracting Powers shall not exceed in standard displacement, for the United States 525,000 tons (533,400 metric tons); for the British Empire 525,000 tons (533,400 metric tons); for France 175,000 tons (177,800 metric tons); for Italy 175,000 tons (177,800 metric tons); for Japan 315,000 tons (320,040 metric tons).

#### ARTICLE V

No capital ship exceeding 35,000 tons (35,560 metric tons) standard displacement shall be acquired by, or constructed by, for, or within the jurisdiction of, any of the Contracting Powers.

#### ARTICLE VI

No capital ship of any of the Contracting Powers shall carry a gun with a calibre in excess of 16 inches (406 millimetres).

#### ARTICLE VII

The total tonnage for aircraft carriers of each of the Contracting Powers shall not exceed in standard displacement, for the United States 135,000 tons (137,160 metric tons); for the British Empire 135,000 tons (137,160 metric tons); for France 60,000 tons (60,960 metric tons); for Italy 60,000 tons (60,960 metric tons); for Japan 81,000 tons (82,296 metric tons).

#### ARTICLE VIII

The replacement of aircraft carriers shall be effected only as prescribed in Chapter II, Part 3, provided, however, that all aircraft carrier tonnage in existence or building on November 12, 1921, shall be considered experimental, and may be replaced, within the total tonnage limit prescribed in Article VII, without regard to its age.

#### ARTICLE IX

No aircraft carrier exceeding 27,000 tons (27,432 metric tons) standard displacement shall be acquired by, or constructed by, for or within the jurisdiction of, any of the Contracting Powers.

However, any of the Contracting Powers may, provided that its total tonnage allowance of aircraft carriers is not thereby exceeded, build not more than two aircraft carriers, each of a tonnage of not more than 33,000 tons (33,528 metric tons) standard displacement, and in order to effect economy any of the Contracting Powers may use for this purpose any two of their ships, whether constructed or in course of construction, which would otherwise be scrapped under the provisions of Article II. The armament of any aircraft carriers exceeding 27,000 tons (27,432 metric tons) standard displacement shall be in accordance with the requirements of Article X, except that the total number of guns to be carried in case any of such guns be of a calibre exceeding 6 inches (152 millimetres), except anti-aircraft guns and guns not exceeding 5 inches (127 millimetres), shall not exceed eight.

#### ARTICLE X

No aircraft carrier of any of the Contracting Powers shall carry a gun with a calibre in excess of 8

inches (203 millimetres). Without prejudice to the provisions of Article IX, if the armament carried includes guns exceeding 6 inches (152 millimetres) in calibre the total number of guns carried, except anti-aircraft guns and guns not exceeding 5 inches (127 millimetres), shall not exceed ten. If alternatively the armament contains no guns exceeding 6 inches (152 millimetres) in calibre, the number of guns is not limited. In either case the number of anti-aircraft guns and of guns not exceeding 5 inches (127 millimetres) is not limited.

#### ARTICLE XI

No vessel of war exceeding 10,000 tons (10,160 metric tons) standard displacement, other than a capital ship or aircraft carrier, shall be acquired by, or constructed by, for, or within the jurisdiction of, any of the Contracting Powers. Vessels not specifically built as fighting ships nor taken in time of peace under government control for fighting purposes, which are employed on fleet duties or as troop transports or in some other way for the purpose of assisting in the prosecution of hostilities otherwise than as fighting ships, shall not be within the limitations of this Article.

No vessel of war of any of the Contracting Powers, hereafter laid down, other than a capital ship, shall carry a gun with a calibre in excess of 8 inches (203 millimetres).

#### ARTICLE XIII

Except as provided in Article IX, no ship designated in the present Treaty to be scrapped may be reconverted into a vessel or war.

#### ARTICLE XIV

No preparations shall be made in merchant ships in time of peace for the installation of warlike armaments for the purpose of converting such ships into vessels of war, other than the necessary stiffening of decks for the mounting of guns not exceeding 6 inch (152 millimetres) calibre.

#### ARTICLE XV

No vessel of war constructed within the jurisdiction of any of the Contracting Powers for a non-Contracting Power shall exceed the limitations as to displacement and armament prescribed by the present Treaty for vessels of a similar type which may be constructed by or for any of the Contracting Powers; provided, however, that the displacement for aircraft carriers constructed for a non-Contracting Power shall in no case exceed 27,000 tons (27,432 metric tons) standard displacement.

#### ARTICLE XVI

If the construction of any vessel of war for a non-Contracting Power is undertaken within the jurisdiction of any of the Contracting Powers, such Power shall promptly inform the other Contracting Powers of the date of the signing of the contract and the date on which the keel of the ship is laid; and shall also communicate to them the particulars relating to the ship prescribed in Chapter II, Part 3, Section I (b), (4) and (5).

#### ARTICLE XVII

In the event of a Contracting Power being engaged in war, such Power shall not use as a vessel of war any vessel of war

which may be under construction within its jurisdiction for any other Power, or which may have been constructed within its jurisdiction for another Power and not delivered.

ARTICLE XVIII

Each of the Contracting Powers undertakes not to dispose by gift, sale or any mode of transfer of any vessel of war in such a manner that such vessel may become a vessel of war in the Navy of any foreign Power.

ARTICLE XIX

The United States, the British Empire and Japan agree that the status quo at the time of the signing of the present Treaty, with regard to fortifications and naval bases, shall be maintained in their respective territories and possessions specified hereunder:

(1) The insular possessions which the United States now holds or may hereafter acquire in the Pacific Ocean, except (a) those adjacent to the coast of the United States, Alaska and the Panama Canal Zone, not including the Aleutian Islands, and (b) the Hawaiian Islands;

(2) Hongkong and the insular possessions which the British Empire now holds or may hereafter acquire in the Pacific Ocean, east of the meridian of 110° east longitude, except (a) those adjacent to the coast of Canada, (b) the Commonwealth of Australia and its Territories, and (c) New Zealand;

(3) The following insular territories and possessions of Japan in the Pacific Ocean, to wit: the Kurile Islands, the Bonin Islands, Amami-Oshima, the Loochoo Islands, Formosa and the Pescadores, and any insular territories or possessions in the Pacific Ocean

which Japan may hereafter acquire.

The maintenance of the status quo under the foregoing provisions implies that no new fortifications or naval bases shall be established in the territories and possessions specified; that no measures shall be taken to increase the existing naval facilities for the repair and maintenance of naval forces, and that no increase shall be made in the coast defences of the territories and possessions above specified. This restriction, however, does not preclude such repair and replacement of worn-out weapons and equipment as is customary in naval and military establishments in time of peace.

ARTICLE XX

The rules for determining tonnage displacement prescribed in Chapter II, Part 4, shall apply to the ships of each of the Contracting Powers.

CHAPTER II

RULES RELATING TO THE EXECUTION OF THE TREATY—  
DEFINITION OF TERMS

PART 1

CAPITAL SHIPS WHICH MAY BE  
RETAINED BY THE CONTRACTING  
POWERS

In accordance with Article II ships may be retained by each of the Contracting Powers as specified in this Part.

*Ships which may be retained by the United States.*

Name:	Tonnage
Maryland.....	32, 600
California.....	32, 300
Tennessee.....	32, 300
Idaho.....	32, 000
New Mexico.....	32, 000
Mississippi.....	32, 000
Arizona.....	31, 400

*Ships which may be retained by the United States—Continued*

Name:	Tonnage
Pennsylvania.....	31, 400
Oklahoma.....	27, 500
Nevada.....	27, 500
New York.....	27, 000
Texas.....	27, 000
Arkansas.....	26, 000
Wyoming.....	26, 000
Florida.....	21, 825
Utah.....	21, 825
North Dakota.....	20, 000
Delaware.....	20, 000
Total tonnage.....	500, 650

On the completion of the two ships of the *West Virginia* class and the scrapping of the *North Dakota* and *Delaware*, as provided in Article II, the total tonnage to be retained by the United States will be 525,850 tons.

*Ships which may be retained by the British Empire*

Name:	Tonnage
Royal Sovereign.....	25, 750
Royal Oak.....	25, 750
Revenge.....	25, 750
Resolution.....	25, 750
Ramillies.....	25, 750
Malaya.....	27, 500
Valiant.....	27, 500
Barham.....	27, 500
Queen Elizabeth.....	27, 500
Warspite.....	27, 500
Benbow.....	25, 000
Emperor of India.....	25, 000
Iron Duke.....	25, 000
Marlborough.....	25, 000
Hood.....	41, 200
Renown.....	26, 500
Repulse.....	26, 500
Tiger.....	28, 500
Thunderer.....	22, 500
King George V.....	23, 000
Ajax.....	23, 000
Centurion.....	23, 000
Total tonnage.....	580, 450

On the completion of the two new ships to be constructed and the scrapping of the *Thunderer*, *King George V*, *Ajax* and *Centurion*, as provided in Article II, the total tonnage to be retained

by the British Empire will be 558,950 tons.

*Ships which may be retained by France*

Name:	Tonnage (metric tons)
Bretagne.....	23, 500
Lorraine.....	23, 500
Provence.....	23, 500
Paris.....	23, 500
France.....	23, 500
Jean Bart.....	23, 500
Courbet.....	23, 500
Condorcet.....	18, 890
Diderot.....	18, 890
Voltaire.....	18, 890
Total tonnage.....	221, 170

France may lay down new tonnage in the years 1927, 1929, and 1931, as provided in Part 3, Section II.

*Ships which may be retained by Italy*

Name:	Tonnage (metric tons)
Andrea Doria.....	22, 700
Caio Duilio.....	22, 700
Conte Di Cavour.....	22, 500
Giulio Cesare.....	22, 500
Leonardo Da Vinci.....	22, 500
Dante Alighieri.....	19, 500
Roma.....	12, 600
Napoli.....	12, 600
Vittorio Emanuele.....	12, 600
Regina Elena.....	12, 600
Total tonnage.....	182, 800

Italy may lay down new tonnage in the years 1927, 1929, and 1931, as provided in Part 3, Section II.

*Ships which may be retained by Japan*

Name:	Tonnage
Mutsu.....	33, 800
Nagato.....	33, 800
Hiuga.....	31, 260
Ise.....	31, 260
Yamashiro.....	30, 600
Fu-So.....	30, 600
Kirishima.....	27, 500
Haruna.....	27, 500
Hiyei.....	27, 500
Kongo.....	27, 500
Total tonnage.....	301, 320

## PART 2

RULES FOR SCRAPPING VESSELS  
OF WAR

The following rules shall be observed for the scrapping of vessels of war which are to be disposed of in accordance with Articles II and III.

I. A vessel to be scrapped must be placed in such condition that it cannot be put to combatant use.

II. This result must be finally effected in any one of the following ways:

(a) Permanent sinking of the vessel;

(b) Breaking the vessel up. This shall always involve the destruction or removal of all machinery, boilers and armour, and all deck, side and bottom plating;

(c) Converting the vessel to target use exclusively. In such case all the provisions of paragraph III of this Part, except subparagraph (6), in so far as may be necessary to enable the ship to be used as a mobile target, and except subparagraph (7), must be previously complied with. Not more than one capital ship may be retained for this purpose at one time by any of the Contracting Powers.

(d) Of the capital ships which would otherwise be scrapped under the present Treaty in or after the year 1931, France and Italy may each retain two sea-going vessels for training purposes exclusively, that is, as gunnery or torpedo schools. The two vessels retained by

France shall be of the *Jean Bart* class, and of those retained by Italy one shall be the *Dante Alighieri*, the other of the *Giulio Cesare* class. On retaining these ships for the purpose above stated, France and Italy respectively undertake to remove and destroy their conning-towers, and not to use the said ships as vessels of war.

III. (a) Subject to the special exceptions contained in Article IX, when a vessel is due for scrapping, the first stage of scrapping, which consists in rendering a ship incapable of further warlike service, shall be immediately undertaken.

(b) A vessel shall be considered incapable of further warlike service when there shall have been removed and landed, or else destroyed in the ship:

(1) All guns and essential portions of guns, fire-control tops and revolving parts of all barbettes and turrets;

(2) All machinery for working hydraulic or electric mountings;

(3) All fire-control instruments and range-finders;

(4) All ammunition, explosives and mines;

(5) All torpedoes, war-heads and torpedo tubes;

(6) All wireless telegraphy installations;

(7) The conning tower and all side armour,

or alternatively all main propelling machinery; and

- (8) All landing and flying-off platforms and all other aviation accessories.

IV. The periods in which scrapping of vessels is to be effected are as follows:

- (a) In the case of vessels to be scrapped under the first paragraph of Article II, the work of rendering the vessels incapable of further warlike service, in accordance with paragraph III of this Part, shall be completed within six months from the coming into force of the present Treaty, and the scrapping shall be finally effected within eighteen months from such coming into force.

- (b) In the case of vessels to be scrapped under the second and third paragraphs of Article II, or under Article III, the work of rendering the vessel incapable of further warlike service in accordance with paragraph III of this Part shall be commenced not later than the date of completion of its successor, and shall be finished within six months from the date of such completion. The vessel shall be finally scrapped, in accordance with paragraph II of this Part, within eighteen months from the date of completion of its successor. If, however, the completion of the new vessel be delayed, then the work of rendering the old vessel incapable of

further warlike service in accordance with paragraph III of this Part shall be commenced within four years from the laying of the keel of the new vessel, and shall be finished within six months from the date on which such work was commenced, and the old vessel shall be finally scrapped in accordance with paragraph II of this Part within eighteen months from the date when the work of rendering it incapable of further warlike service was commenced.

### PART 3

#### REPLACEMENT

The replacement of capital ships and aircraft carriers shall take place according to the rules in Section I and the tables in Section II of this Part.

#### SECTION I

##### RULES FOR REPLACEMENT

- (a) Capital ships and aircraft carriers twenty years after the date of their completion may, except as otherwise provided in Article VIII and in the tables in Section II of this Part, be replaced by new construction, but within the limits prescribed in Article IV and Article VII. The keels of such new construction may, except as otherwise provided in Article VIII and in the tables in Section II of this Part, be laid down not earlier than seventeen years from the date of completion of the tonnage to be replaced, provided, however, that no capital ship tonnage, with the exception of the ships referred to in the third paragraph of Article II, and the replacement tonnage

specifically mentioned in Section II of this Part, shall be laid down until ten years from November 12, 1921.

(b) Each of the Contracting Powers shall communicate promptly to each of the other Contracting Powers the following information:

- (1) The names of the capital ships and aircraft carriers to be replaced by new construction;
  - (2) The date of governmental authorization of replacement tonnage;
  - (3) The date of laying the keels of replacement tonnage.
  - (4) The standard displacement in tons and metric tons of each new ship to be laid down, and the principal dimensions, namely, length at waterline, extreme beam at or below waterline, mean draft at standard displacement;
  - (5) The date of completion of each new ship and its standard displacement in tons and metric tons, and the principal dimensions, namely, length at waterline, extreme beam at or below waterline, mean draft at standard displacement, at time of completion.
- (c) In case of loss or accidental destruction of capital ships or aircraft carriers, they may immediately be replaced by new construction subject to the tonnage

limits prescribed in Articles IV and VII and in conformity with the other provisions of the present Treaty, the regular replacement program being deemed to be advanced to that extent.

(d) No retained capital ships or aircraft carriers shall be reconstructed except for the purpose of providing means of defense against air and submarine attack, and subject to the following rules: The Contracting Powers may, for that purpose, equip existing tonnage with bulge or blister or anti-air attack deck protection, providing the increase of displacement thus effected does not exceed 3,000 tons (3,048 metric tons) displacement for each ship. No alterations in side armor, in calibre, number or general type of mounting of main armament shall be permitted except:

- (1) in the case of France and Italy, which countries within the limits allowed for bulge may increase their armor protection and the calibre of the guns now carried on their existing capital ships so as not to exceed 16 inches (406 millimeters) and
- (2) the British Empire shall be permitted to complete, in the case of the *Renown*, the alterations to armor that have already been commenced but temporarily suspended.

## SECTION II

## REPLACEMENT AND SCRAPPING OF CAPITAL SHIPS

## UNITED STATES

Year	Ships laid down	Ships completed	Ships scrapped (age in parentheses)	Ships retained—Summary	
				Pre-	Post-
				Jutland	
			Maine (20), Missouri (20), Virginia (17), Nebraska (17), Georgia (17), New Jersey (17), Rhode Island (17), Connecticut (17), Louisiana (17), Vermont (16), Kansas (16), Minnesota (16), New Hampshire (15), South Carolina (13), Michigan (13), Washington (0), South Dakota (0), Indiana (0), Montana (0), North Carolina (0), Iowa (0), Massachusetts (0), Lexington (0), Constitution (0), Constellation (0), Saratoga (0), Ranger (0), United States (0).*	17	1
1922		A, B, #	Delaware (12), North Dakota (12)	15	3
1923				15	3
1924				15	3
1925				15	3
1926				15	3
1927				15	3
1928				15	3
1929				15	3
1930				15	3
1931	C, D			15	3
1932	E, F			15	3
1933	G			15	3
1934	H, I	C, D	Florida (23), Utah (23), Wyoming (22)	12	5
1935	J	E, F	Arkansas (23), Texas (21), New York (21)	9	7
1936	K, L	G	Nevada (20), Oklahoma (20)	7	8
1937	M	H, I	Arizona (21), Pennsylvania (21)	5	10
1938	N, O	J	Mississippi (21)	4	11
1939	P, Q	K, L	New Mexico (21), Idaho (20)	2	13
1940		M	Tennessee (20)	1	14
1941		N, O	California (20), Maryland (20)	0	15
1942		P, Q	2 ships West Virginia class	0	15

\*The United States may retain the *Oregon* and *Illinois*, for noncombatant purposes, after complying with the provisions of Part 2, III, (b).

#Two West Virginia class.

NOTE.—A, B, C, D, etc., represent individual capital ships of 35,000 tons standard displacement, laid down and completed in the years specified.

## BRITISH EMPIRE

Year	Ships laid down	Ships completed	Ships scrapped (age in parentheses)	Ships retained—Summary	
				Pre-	Post-
				Jutland	
			Commonwealth (16), Agamemnon (13), Dreadnought (15), Bellerophon (12), St. Vincent (11), Inflexible (13), Superb (12), Neptune (10), Hercules (10), Indomitable (13), Temeraire (12), New Zealand (9), Lion (9), Princess Royal (9), Conqueror (9), Monarch (9), Orion (9), Australia (8), Agincourt (7), Erin (7), 1 building or projected.*	21	1
1922	A, B, #			21	1
1923				21	1
1924				21	1

\*The British Empire may retain the *Colossus* and *Collingwood* for noncombatant purposes, after complying with the provisions of Part 2, III, (b).

#Two 35,000-ton ships, standard displacement.

SECTION II—Continued

REPLACEMENT AND SCRAPPING OF CAPITAL SHIPS—continued

BRITISH EMPIRE—Continued

Year	Ships laid down	Ships completed	Ships scrapped (age in parentheses)	Ships retained—Summary	
				Pre-	Post-
				Jutland	
1925		A. B.	King George V (13), Ajax (12), Centurion (12), Thunderer (13).	17	3
1926				17	3
1927				17	3
1928				17	3
1929				17	3
1930				17	3
1931	C. D.			17	3
1932	E. F.			17	3
1933	G.			17	3
1934	H. I.	C. D.	Iron Duke (20), Marlborough (20), Emperor of India (20), Benbow (20).	13	5
1935	J.	E. F.	Tiger (21), Queen Elizabeth (20), Warspite (20), Barham (20).	9	7
1936	K. L.	G.	Malaya (20), Royal Sovereign (20)	7	8
1937	M.	H. I.	Revenge (21), Resolution (21)	5	10
1938	N. O.	J.	Royal Oak (22)	4	11
1939	P. Q.	K. L.	Valiant (23), Repulse (23)	2	13
1940		M.	Renown (24)	1	14
1941		N. O.	Ramillies (21), Hood (21)	0	15
1942		P. Q.	A (17), B (17)	0	15

NOTE.—A, B, C, D, etc., represent individual capital ships of 35,000 tons standard displacement laid down and completed in the years specified.

FRANCE

Year	Ships laid down	Ships completed	Ships scrapped (age in parentheses)	Ships retained—Summary	
				Pre-	Post-
				Jutland	
1922				7	0
1923				7	0
1924				7	0
1925				7	0
1926				7	0
1927	35,000 tons			7	0
1928				7	0
1929	35,000 tons			7	0
1930		35,000 tons	Jean Bart (17), Courbet (17)	5	(C)
1931	35,000 tons			5	(C)
1932	35,000 tons	35,000 tons	France (18)	4	(C)
1933	35,000 tons			4	(C)
1934		35,000 tons	Paris (20), Bretagne (20)	2	(C)
1935		35,000 tons	Provence (20)	1	(C)
1936		35,000 tons	Lorraine (20)	0	(C)
1937				0	(C)
1938				0	(C)
1939				0	(C)
1940				0	(C)
1941				0	(C)
1942				0	(C)

\* Within tonnage limitations; number not fixed.

NOTE.—France expressly reserves the right of employing the capital ship tonnage allotment as she may consider advisable, subject solely to the limitations that the displacement of individual ships should not surpass 35,000 tons, and that the total capital ship tonnage should keep within the limits imposed by the present Treaty.

## SECTION II—Continued

## REPLACEMENT AND SCRAPPING OF CAPITAL SHIPS—continued

## ITALY

Year	Ships laid down	Ships completed	Ships scrapped (age in parentheses)	Ships retained—Summary	
				Pre-	Post-
				Jutland	
1922				6	0
1923				6	0
1924				6	0
1925				6	0
1926				6	0
1927	35,000 tons			6	0
1928				6	0
1929	35,000 tons			6	0
1930				6	0
1931	35,000 tons	35,000 tons	Dante Alighieri (19)	5	(*)
1932	45,000 tons			5	(*)
1933	25,000 tons	35,000 tons	Leonardo da Vinci (19)	4	(*)
1934				4	(*)
1935		35,000 tons	Guilio Cesare (21)	3	(*)
1936		45,000 tons	Conte di Cavour (21), Dullio (21)	1	(*)
1937		25,000 tons	Andrea Doria (21)	0	(*)

\*Within tonnage limitations; number not fixed.

NOTE.—Italy expressly reserves the right of employing the capital ship tonnage allotment as she may consider advisable, subject solely to the limitations that the displacement of individual ships should not surpass 35,000 tons, and the total capital ship tonnage should keep within the limits imposed by the present Treaty.

## JAPAN

Year	Ships laid down	Ships completed	Ships scrapped (age in parentheses)	Ships retained—Summary	
				Pre-	Post-
				Jutland	
			Hiizen (20), Mikasa (20), Kashima (16), Katori (16), Satsuma (12), Aki (11), Settsu (10), Ikoma (14), Ibuki (12), Kurama (11), Amagi (0), Akagi (0), Kaga (0), Tosa (0), Takao (0), Atago (0). Projected program 8 ships not laid down.*	8	
1922				8	2
1923				8	2
1924				8	2
1925				8	2
1926				8	2
1927				8	2
1928				8	2
1929				8	2
1930				8	2
1931	A			8	2
1932	B			8	2
1933	C			8	2
1934	D	A	Kongo (21)	7	3
1935	E	B	Hiyei (21), Haruna (20)	5	4
1936	F	C	Kirishima (21)	4	5
1937	G	D	Fuso (22)	3	6
1938	H	E	Yamashiro (21)	2	7
1939	I	F	Ise (22)	1	8
1940		G	Hiuga (22)	0	9
1941		H	Nagato (21)	0	9
1942		I	Mutsu (21)	0	9

\*Japan may retain the *Shikishima* and *Asahi* for noncombatant purposes, after complying with the provisions of Part 2, III, (b).

NOTE.—A, B, C, D, etc., represent individual capital ships of 35,000 tons standard displacement, laid down and completed in the years specified.

NOTE APPLICABLE TO ALL THE  
TABLES IN SECTION II

The order above prescribed in which ships are to be scrapped is in accordance with their age. It is understood that when replacement begins according to the above tables the order of scrapping in the case of the ships of each of the Contracting Powers may be varied at its option; provided, however, that such Power shall scrap in each year the number of ships above stated.

## PART 4

## DEFINITIONS

For the purposes of the present Treaty, the following expressions are to be understood in the sense defined in this Part.

## CAPITAL SHIP

A capital ship, in the case of ships hereafter built, is defined as a vessel of war, not an aircraft carrier, whose displacement exceeds 10,000 tons (10,160 metric tons) standard displacement, or which carries a gun with a calibre exceeding 8 inches (203 millimetres).

## AIRCRAFT CARRIER

An aircraft carrier is defined as a vessel of war with a displacement in excess of 10,000 tons (10,160 metric tons) standard displacement designed for the specific and exclusive purpose of carrying aircraft. It must be so constructed that aircraft can be launched therefrom and landed thereon, and not designed and constructed for carrying a more powerful armament than that allowed to it under Article IX or Article X as the case may be.

## STANDARD DISPLACEMENT

The standard displacement of a ship is the displacement of the ship complete, fully manned, engine, and equipped ready for sea, including all armament and ammunition, equipment, outfit, provisions and fresh water for crew, miscellaneous stores and implements of every description that are intended to be carried in war, but without fuel or reserve feed water on board.

The word "ton" in the present Treaty, except in the expression "metric tons", shall be understood to mean the ton of 2240 pounds (1016 kilos).

Vessels now completed shall retain their present ratings of displacement tonnage in accordance with their national system of measurement. However, a Power expressing displacement in metric tons shall be considered for the application of the present Treaty as owning only the equivalent displacement in tons of 2240 pounds.

A vessel completed hereafter shall be rated at its displacement tonnage when in the standard condition defined herein.

## CHAPTER III

## MISCELLANEOUS PROVISIONS

## ARTICLE XXI

If during the term of the present Treaty the requirements of the national security of any Contracting Power in respect of naval defence are, in the opinion of that Power, materially affected by any change of circumstances, the Contracting Powers will, at the request of such Power, meet in conference with a view to the reconsideration of the provisions of the Treaty and its amendment by mutual agreement.

In view of possible technical and scientific developments, the United States, after consultation with the other Contracting Powers, shall arrange for a conference of all the Contracting Powers which shall convene as soon as possible after the expiration of eight years from the coming into force of the present Treaty to consider what changes, if any, in the Treaty may be necessary to meet such developments.

#### ARTICLE XXII

Whenever any Contracting Power shall become engaged in a war which in its opinion affects the naval defence of its national security, such Power may after notice to the other Contracting Powers suspend for the period of hostilities its obligations under the present Treaty other than those under Articles XII and XVII, provided that such Power shall notify the other Contracting Powers that the emergency is of such a character as to require such suspension.

The remaining Contracting Powers shall in such case consult together with a view to agreement as to what temporary modifications if any should be made in the Treaty as between themselves. Should such consultation not produce agreement, duly made in accordance with the constitutional methods of the respective Powers, any one of said Contracting Powers may, by giving notice to the other Contracting Powers, suspend for the period of hostilities its obligations under the present Treaty, other than those under Articles XIII and XVII.

On the cessation of hostilities the Contracting Powers will meet in conference to consider what modifications, if any, should be made in the provisions of the present Treaty.

#### ARTICLE XXIII

The present Treaty shall remain in force until December 31st, 1936, and in case none of the Contracting Powers shall have given notice two years before that date of its intention to terminate the Treaty, it shall continue in force until the expiration of two years from the date on which notice of termination shall be given by one of the Contracting Powers, whereupon the Treaty shall terminate as regards all the Contracting Powers. Such notice shall be communicated in writing to the Government of the United States, which shall immediately transmit a certified copy of the notification to the other Powers and inform them of the date on which it was received. The notice shall be deemed to have been given and shall take effect on that date. In the event of notice of termination being given by the Government of the United States, such notice shall be given to the diplomatic representatives at Washington of the other Contracting Powers, and the notice shall be deemed to have been given and shall take effect on the date of the communication made to the said diplomatic representatives.

Within one year of the date on which a notice of termination by any Power has taken effect, all the Contracting Powers shall meet in conference.

#### ARTICLE XXIV

The present Treaty shall be ratified by the Contracting Powers in accordance with their respective constitutional methods and shall take effect on the date of the deposit of all the ratifications, which shall take place at Washington as soon as possible. The Government of the United

States will transmit to the other Contracting Powers a certified copy of the procès-verbal of the deposit of ratifications.

The present Treaty, of which the French and English texts are both authentic, shall remain deposited in the archives of the Government of the United States, and duly certified copies thereof shall be transmitted by that Government to the other Contracting Powers.

In faith whereof the above-named Plenipotentiaries have signed the present Treaty.

Done at the City of Washington the sixth day of February, One Thousand Nine Hundred and Twenty-Two.

CHARLES EVANS HUGHES  
HENRY CABOT LODGE  
OSCAR W. UNDERWOOD  
ELIHU ROOT  
ARTHUR JAMES BALFOUR  
LEE OF FAREHAM  
A. C. GEDDES  
R. L. BORDEN  
G. F. PEARCE  
JOHN W. SALMOND  
ARTHUR JAMES BALFOUR  
V. S. SRINIVASA SASTRI  
A. SARRAUT  
JUSSERAND  
CARLO SCHANZER  
V. ROLANDI RICCI  
LUIGI ALBERTINI  
T. KATO  
K. SHIDEHARA  
M. HANIHARA.

## (2) A TREATY BETWEEN THE SAME POWERS, IN RELATION TO THE USE OF SUBMARINES AND NOXIOUS GASES IN WARFARE

The United States of America, the British Empire, France, Italy and Japan, hereinafter referred to as the Signatory Powers, desiring to make more effective the rules adopted by civilized nations for the protection of the lives of neutrals and noncombatants at sea in time of war, and to prevent the use in war of noxious gases and chemicals, have determined to conclude a Treaty to this effect, and have appointed as their Plenipotentiaries:

The President of the United States of America:

Charles Evans Hughes,  
Henry Cabot Lodge,  
Oscar W. Underwood,  
Elihu Root,  
citizens of the United States;

His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India;

The Right Honourable Arthur James Balfour, O. M., M. P., Lord President of His Privy Council;

The Right Honourable Baron Lee of Fareham, G. B. E., K. C. B., First Lord of His Admiralty;

The Right Honourable Sir Auckland Campbell Geddes, K. C. B., His Ambassador Extraordinary and Plenipotentiary to the United States of America;

and

for the Dominion of Canada:

The Right Honourable Sir Robert Laird Borden, G. C. M. G., K. C.;

for the Commonwealth of Australia:

Senator, the Right Honourable George Foster Pearce, Minister for Home and Territories;

for the Dominion of New Zealand:

The Honourable Sir John William Salmond, K. C., Judge of the Supreme Court of New Zealand;

for the Union of South Africa:

The Right Honourable Arthur James Balfour, O. M., M. P.;

for India:

The Right Honourable Valingman Sankaranarayana Srinivasa Sastri, Member of the Indian Council of State;

The President of the French Republic:

Mr. Albert Sarraut, Deputy, Minister of the Colonies;

Mr. Jules J. Jusserand, Ambassador Extraordinary and Plenipotentiary to the United States of America, Grand Cross of the National Order of the Legion of Honour;

His Majesty the King of Italy: The Honourable Carlo Schanzer, Senator of the Kingdom;

The Honourable Vittorio Rolandi Ricci, Senator of the Kingdom, His Ambassador Extraordinary and Plenipotentiary at Washington;

The Honourable Luigi Albertini, Senator of the Kingdom;

His Majesty the Emperor of Japan:

Baron Tomosaburo Kato, Minister for the Navy, Junii, a member of the First Class of the Imperial Order of the Grand Cordon of the Rising Sun with the Paulownia Flower;

Baron Kijuro Shidehara, His Ambassador Extraordinary and Plenipotentiary at Washington, Joshii, a member of the First Class of the Imperial Order of the Rising Sun;

Mr. Masanao Hanihara, Vice Minister for Foreign Affairs, Jushii, a member of the Second Class of the Imperial Order of the Rising Sun;

Who, having communicated their Full Powers, found in good and due form, have agreed as follows:

#### ARTICLE I

The Signatory Powers declare that among the rules adopted by civilized nations for the protection of the lives of neutrals and noncombatants at sea in time of war, the following are to be deemed an established part of international law;

(1) A merchant vessel must be ordered to submit to visit and search to determine its character before it can be seized.

A merchant vessel must not be attacked unless it refuse to submit to visit and search after warning, or to proceed as directed after seizure.

A merchant vessel must not be destroyed unless the crew and passengers have been first placed in safety.

(2) Belligerent submarines are not under any circumstances exempt from the universal rules above stated; and if a submarine can not capture a merchant vessel in conformity with these rules the existing law of nations requires it to desist from attack and from seizure and to permit the merchant vessel to proceed unmolested.

## ARTICLE II

The Signatory Powers invite all other civilized Powers to express their assent to the foregoing statement of established law so that there may be a clear public understanding throughout the world of the standards of conduct by which the public opinion of the world is to pass judgment upon future belligerents.

## ARTICLE III

The Signatory Powers, desiring to insure the enforcement of the humane rules of existing law declared by them with respect to attacks upon and the seizure and destruction of merchant ships, further declare that any person in the service of any Power who shall violate any of those rules, whether or not such person is under orders of a governmental superior, shall be deemed to have violated the laws of war and shall be liable to trial and punishment as if for an act of piracy and may be brought to trial before the civil or military authorities of any Power within the jurisdiction of which he may be found.

## ARTICLE IV

The Signatory Powers recognize the practical impossibility of using submarines as commerce destroyers without violating, as they were violated in the recent war of 1914-1918, the requirements universally accepted by civilized nations for the protection of the lives of neutrals and noncombatants, and to the end that the prohibition of the use of submarines as commerce destroyers shall be universally accepted as a part of the law of nations they now accept that prohibition as henceforth binding as between themselves and they invite all other nations to adhere thereto.

## ARTICLE V

The use in war of asphyxiating, poisonous or other gases, and all analogous liquids, materials or devices, having been justly condemned by the general opinion of the civilized world and a prohibition of such use having been declared in treaties to which a majority of the civilized Powers are parties,

The Signatory Powers, to the end that this prohibition shall be universally accepted as a part of international law binding alike the conscience and practice of nations, declare their assent to such prohibition, agree to be bound thereby as between themselves and invite all other civilized nations to adhere thereto.

## ARTICLE VI

The present Treaty shall be ratified as soon as possible in accordance with the constitutional methods of the Signatory Powers and shall take effect on the deposit of all the ratifications, which shall take place at Washington.

The Government of the United States will transmit to all the Signatory Powers a certified copy of the procès-verbal of the deposit of ratifications.

The present Treaty, of which the French and English texts are both authentic, shall remain deposited in the Archives of the Government of the United States, and duly certified copies thereof will be transmitted by that Government to each of the Signatory Powers.

## ARTICLE VII

The Government of the United States will further transmit to each of the Non-Signatory Powers a duly certified copy of the present Treaty and invite its adherence thereto.

Any Non-Signatory Power may adhere to the present Treaty by communicating an Instrument of Adherence to the Government of the United States, which will thereupon transmit to each of the Signatory and Adhering Powers a certified copy of each Instrument of Adherence.

In faith whereof, the above named Plenipotentiaries have signed the present Treaty. Done at the City of Washington, the sixth day of February, one thousand nine hundred and twenty-two.

- |         |                      |         |
|---------|----------------------|---------|
| [I. S.] | CHARLES EVANS HUGHES |         |
| [L. S.] | HENRY CABOT LODGE    |         |
| [L. S.] | OSCAR W. UNDERWOOD   |         |
| [L. S.] | ELIHU ROOT           |         |
| [L. S.] | ARTHUR JAMES BALFOUR |         |
| [L. S.] | LEE OF FAREHAM       |         |
| [L. S.] | A. C. GEDDES         |         |
|         | R. L. BORDEN         | [L. S.] |
|         | G. F. PEARCE         | [L. S.] |
|         | JOHN W. SALMOND      | [L. S.] |
|         | ARTHUR JAMES BALFOUR | [L. S.] |
|         | V S SRINIVASA SASTRI | [L. S.] |
|         | A SARRAUT            | [L. S.] |
|         | JUSSERAND            | [L. S.] |
|         | CARLO SCHANZER       | [L. S.] |
| [L. S.] | V. ROLANDI RICCI     |         |
| [L. S.] | LUIGI ALBERTINI      |         |
| [L. S.] | T. KATO              |         |
| [L. S.] | K. SHIDEHARA         |         |
| [L. S.] | M. HANIHARA          |         |

**(3) A TREATY BETWEEN THE UNITED STATES OF AMERICA, THE BRITISH EMPIRE, FRANCE, AND JAPAN, SIGNED DECEMBER 13, 1921, RELATING TO THEIR INSULAR POSSESSIONS AND INSULAR DOMINIONS IN THE PACIFIC OCEAN**

The United States of America, the British Empire, France and Japan,

With a view to the preservation of the general peace and the maintenance of their rights in relation to their insular possessions and insular dominions in the region of the Pacific Ocean,

Have determined to conclude a Treaty to this effect and have appointed as their Plenipotentiaries:

The President of the United States of America:

Charles Evans Hughes,  
Henry Cabot Lodge,

Oscar W. Underwood and Elihu Root, citizens of the United States;

His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India:

The Right Honourable Arthur James Balfour, O. M., M. P., Lord President of His Privy Council;

The Right Honourable Baron Lee of Fareham, G. B. E., K. C. B., First Lord of His Admiralty;

The Right Honourable Sir Auckland Campbell Geddes, K. C. B., His Ambassador Extraordinary and Plenipotentiary to the United States of America;

And

for the Dominion of Canada:

The Right Honourable Robert Laird Borden, G. C. M. G., K. C.;

for the Commonwealth of Australia:

The Honourable George Foster Pearce, Minister of Defence;

for the Dominion of New Zealand:

Sir John William Salmond, K. C., Judge of the Supreme Court of New Zealand;

for the Union of South Africa:

The Right Honourable Arthur James Balfour, O. M., M. P.;

for India:

The Right Honourable Valingman Sankaranarayana Srinivasa Sastri, Member of the Indian Council of State;

The President of the French Republic:

Mr. René Viviani, Deputy, Former President of the Council of Ministers;

Mr. Albert Sarraut, Deputy, Minister of the Colonies;

Mr. Jules J. Jusserand, Ambassador Extraordinary and Plenipotentiary to the United States of America, Grand Cross of the National Order of the Legion of Honour;

His Majesty the Emperor of Japan:

Baron Tomosaburo Kato, Minister for the Navy, Junii, a member of the First Class of the Imperial Order of the Grand Cordon of the Rising Sun with the Paulownia Flower;

Baron Kijuro Shidehara, His Ambassador Extraordinary and Plenipotentiary at Washington, Joshii, a member of the First Class of the Imperial Order of the Rising Sun;

Prince Iyesato Tokugawa, Junii, a member of the First Class of the Imperial Order of the Rising Sun;

Mr. Masanao Hanihara, Vice-Minister for Foreign Affairs, Jushii, a member of the Second Class of the Imperial Order of the Rising Sun;

Who, having communicated their Full Powers, found in good and due form, have agreed as follows:

### I

The High Contracting Parties agree as between themselves to respect their rights in relation to their insular possessions and insular dominions in the region of the Pacific Ocean.

If there should develop between any of the High Contracting Parties a controversy arising out of any Pacific question and involving their said rights which is

not satisfactorily settled by diplomacy and is likely to affect the harmonious accord now happily subsisting between them, they shall invite the other High Contracting Parties to a joint conference to which the whole subject will be referred for consideration and adjustment.

## II

If the said rights are threatened by the aggressive action of any other Power, the High Contracting Parties shall communicate with one another fully and frankly in order to arrive at an understanding as to the most efficient measures to be taken, jointly or separately, to meet the exigencies of the particular situation.

## III

This Treaty shall remain in force for ten years from the time it shall take effect, and after the expiration of said period it shall continue to be in force subject to the right of any of the High Contracting Parties to terminate it upon twelve months' notice.

## IV

This Treaty shall be ratified as soon as possible in accordance with the constitutional methods of the High Contracting Parties and shall take effect on the deposit of ratifications, which shall take place at Washington, and thereupon the agreement between Great Britain and Japan, which was concluded at London on July 13, 1911, shall terminate. The Government of the United States will transmit to all the Signatory Powers a certified copy of the *proces-verbal* of the deposit of ratifications.

The present Treaty, in French and in English, shall remain deposited in the Archives of the Government of the United States, and duly certified copies thereof will be transmitted by that Government to each of the Signatory Powers.

In faith whereof the above named Plenipotentiaries have signed the present Treaty.

Done at the City of Washington, the thirteenth day of December, One Thousand Nine Hundred and Twenty-One.

	CHARLES EVANS HUGHES	[L. S.]
	HENRY CABOT LODGE.	[L. S.]
	OSCAR W UNDERWOOD	[L. S.]
	ELIHU ROOT	[L. S.]
	A M JAMES BALFOUR	[L. S.]
	LEE OF FAREHAM.	[L. S.]
	A. C. GEDDES	[L. S.]
[L. S.]	R. L. BORDEN.	
[L. S.]	G. F. PEARCE	
[L. S.]	JOHN W SALMOND	
[L. S.]	A M JAMES BALFOUR	
[L. S.]	V S SRINIVASA SASTRI	
[L. S.]	RENÉ VIVIANI	
[L. S.]	A. SARRAUT	
[L. S.]	JUSSERAND	
[L. S.]	T. KATO	
[L. S.]	K. SHIDEHARA.	
[L. S.]	TOKUGAWA IYESATO	
[L. S.]	M. HANIHARA	

**(4) DECLARATION ACCOMPANYING THE ABOVE FOUR-POWER TREATY**

In signing the Treaty this day between The United States of America, The British Empire, France and Japan, it is declared to be the understanding and intent of the Signatory Powers:

1. That the Treaty shall apply to the Mandated Islands in the Pacific Ocean; provided, however, that the making of the Treaty shall not be deemed to be an assent on the part of The United States of America to the mandates and shall not preclude agreements between The United States of America and the Mandatory Powers respectively in relation to the mandated islands.

2. That the controversies to which the second paragraph of Article I refers shall not be taken to embrace questions which according to principles of international law lie exclusively within the domestic jurisdiction of the respective Powers.

Washington, D. C., December 13, 1921.

CHARLES EVANS HUGHES  
HENRY CABOT LODGE  
OSCAR W UNDERWOOD  
ELIHU ROOT  
A M JAMES BALFOUR  
LEE OF FAREHAM.  
A. C. GEDDES  
R. L. BORDEN.  
G. F. PEARCE  
JOHN W SALMOND  
A M JAMES BALFOUR  
V S SRINIVASA SASTRI  
RENÉ VIVIANI  
A SARRAUT  
JUSSERAND  
T. KATO  
K. SHIDEHARA  
TOKUGAWA IYESATO  
M. HANIHARA

**(5) A TREATY BETWEEN THE SAME FOUR POWERS, SUPPLEMENTARY TO THE ABOVE, SIGNED FEBRUARY 6, 1922**

The United States of America, the British Empire, France and Japan have, through their respective Plenipotentiaries, agreed upon the following stipulations supplementary to the Quadruple Treaty signed at Washington on December 13, 1921:

The term "insular possessions and insular dominions" used in the aforesaid Treaty shall, in its application to Japan, include only Karafuto (or the Southern por-

tion of the island of Sakhalin), Formosa and the Pescadores, and the islands under the mandate of Japan.

The present agreement shall have the same force and effect as the said Treaty to which it is supplementary.

The provisions of Article IV of the aforesaid Treaty of December 13, 1921, relating to ratification shall be applicable to the present Agreement, which in French and

English shall remain deposited in the Archives of the Government of the United States, and duly certified copies thereof shall be transmitted by that Government to each of the other Powers.

In faith whereof the respective Plenipotentiaries have signed the present Agreement.  
Done at the City of Washington, the sixth day of February, One Thousand Nine Hundred and Twenty-two.

	CHARLES EVANS HUGHES	[L. S.]
	HENRY CABOT LODGE	[L. S.]
	OSCAR W UNDERWOOD	[L. S.]
[L. S.]	ELIHU ROOT	
[L. S.]	ARTHUR JAMES BALFOUR	
[L. S.]	LEE OF FAREHAM	
[L. S.]	A. C. GEDDES	
[L. S.]	R. L. BORDEN.	
[L. S.]	G. F. PEARCE	
[L. S.]	JOHN W SALMOND	
[L. S.]	ARTHUR JAMES BALFOUR	
[L. S.]	V S SRINIVASA SASTRI	
	A SARRAUT	[L. S.]
	JUSSERAND	[L. S.]
	T. KATO	[L. S.]
	K. SHIDEHARA	[L. S.]
	M. HANIHARA	[L. S.]

**(6) A TREATY BETWEEN ALL NINE POWERS RELATING TO PRINCIPLES AND POLICIES TO BE FOLLOWED IN MATTERS CONCERNING CHINA**

The United States of America, Belgium, the British Empire, China, France, Italy, Japan, the Netherlands and Portugal:

Desiring to adopt a policy designed to stabilize conditions in the Far East, to safeguard the rights and interests of China, and to promote intercourse between China and the other Powers upon the basis of equality of opportunity;

Have resolved to conclude a treaty for that purpose and to that end have appointed as their respective Plenipotentiaries;

The President of the United States of America:

Charles Evans Hughes,  
Henry Cabot Lodge,  
Oscar W. Underwood,  
Elihu Root,  
citizens of the United States.

His Majesty the King of the Belgians:

Baron de Cartier de Marchienne, Commander of the Order of Leopold and of the Order of the Crown, His Ambassador Extraordinary and Plenipotentiary at Washington;

His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India:

The Right Honourable Arthur James Balfour, O. M., M. P., Lord President of His Privy Council;  
The Right Honourable Baron Lee of Fareham, G. B. E., K. C. B., First Lord of His Admiralty;

- The Right Honourable Sir Auckland Campbell Geddes, K. C. B., His Ambassador Extraordinary and Plenipotentiary to the United States of America;
- and
- for the Dominion of Canada:  
The Right Honourable Sir Robert Laird Borden, G. C. M. G., K. C.;
- for the Commonwealth of Australia:  
Senator the Right Honourable George Foster Pearce, Minister for Home and Territories;
- for the Dominion of New Zealand:  
The Honourable Sir John William Salmond, K. C., Judge of the Supreme Court of New Zealand;
- for the Union of South Africa:  
The Right Honourable Arthur James Balfour, O. M., M. P.;
- for India:  
The Right Honourable Valingman Sankaranarayana Srinivasa Sastri, Member of the Indian Council of State;
- The President of the Republic of China:  
Mr. Sao-Ke Alfred Sze, Envoy Extraordinary and Minister Plenipotentiary at Washington;  
Mr. V. K. Wellington Koo, Envoy Extraordinary and Minister Plenipotentiary at London;  
Mr. Chung-Hui Wang, former Minister of Justice.
- The President of the French Republic:  
Mr. Albert Sarraut, Deputy, Minister of the Colonies;  
Mr. Jules J. Jusserand, Ambassador Extraordinary and Plenipotentiary to the United States of America, Grand Cross of the National Order of the Legion of Honour;
- His Majesty the King of Italy:  
The Honourable Carlo Schanzer, Senator of the Kingdom;  
The Honourable Vittorio Rolandi Ricci, Senator of the Kingdom, His Ambassador Extraordinary and Plenipotentiary at Washington;  
The Honourable Luigi Albertini, Senator of the Kingdom;
- His Majesty the Emperor of Japan:  
Baron Tomosaburo Kato, Minister for the Navy, Junii, a member of the First Class of the Imperial Order of the Grand Cordon of the Rising Sun with the Paulownia Flower;  
Baron Kijuro Shidehara, His Ambassador Extraordinary and Plenipotentiary at Washington, Joshii, a member of the First Class of the Imperial Order of the Rising Sun;  
Mr. Masanao Hanihara, Vice Minister for Foreign Affairs, Jushii, a member of the Second Class of the Imperial Order of the Rising Sun;
- Her Majesty the Queen of The Netherlands:  
Jonkheer Frans Beclaerts van Blokland, Her Envoy Extraordinary and Minister Plenipotentiary;  
Jonkheer Willem Hendrik de Beaufort, Minister Plenipotentiary, Chargé d'Affaires at Washington;

The President of the Portuguese Republic:

Mr. José Francisco de Horta Machado da Franca, Viscount d'Alte, Envoy Extraordinary and Minister Plenipotentiary at Washington;

Mr. Ernesto Julio de Carvalho e Vasconcelos, Captain of the Portuguese Navy, Technical Director of the Colonial Office.

Who, having communicated to each other their full powers, found to be in good and due form, have agreed as follows:

#### ARTICLE I

The Contracting Powers, other than China, agree:

(1) To respect the sovereignty, the independence, and the territorial and administrative integrity of China;

(2) To provide the fullest and most unembarrassed opportunity to China to develop and maintain for herself an effective and stable government;

(3) To use their influence for the purpose of effectually establishing and maintaining the principle of equal opportunity for the commerce and industry of all nations throughout the territory of China;

(4) To refrain from taking advantage of conditions in China in order to seek special rights or privileges which would abridge the rights of subjects or citizens of friendly States, and from countenancing action inimical to the security of such States.

#### ARTICLE II

The Contracting Powers agree not to enter into any treaty, agreement, arrangement, or understanding, either with one

another, or, individually or collectively, with any Power or Powers, which would infringe or impair the principles stated in Article I.

#### ARTICLE III

With a view to applying more effectually the principles of the Open Door or equality of opportunity in China for the trade and industry of all nations, the Contracting Powers, other than China, agree that they will not seek, nor support their respective nationals in seeking.

(a) any arrangement which might purport to establish in favour of their interests any general superiority of rights with respect to commercial or economic development in any designated region of China;

(b) any such monopoly or preference as would deprive the nationals of any other Power of the right of undertaking any legitimate trade or industry in China, or of participating with the Chinese Government, or with any local authority, in any category of public enterprise, or which by reason of its scope, duration or geographical extent is calculated to frustrate the practical application of the principle of equal opportunity.

It is understood that the foregoing stipulations of this Article are not to be so construed as to prohibit the acquisition of such properties or rights as may be necessary to the conduct of a particular commercial, industrial, or financial undertaking or to the encouragement of invention and research.

China undertakes to be guided by the principles stated in the foregoing stipulations of this Article in dealing with applications for economic rights and privileges from Governments and

nationals of all foreign countries, whether parties to the present Treaty or not.

#### ARTICLE IV

The Contracting Powers agree not to support any agreements by their respective nationals with each other designed to create Spheres of Influence or to provide for the enjoyment of mutually exclusive opportunities in designated parts of Chinese territory.

#### ARTICLE V

China agrees that, throughout the whole of the railways in China, she will not exercise or permit unfair discrimination of any kind. In particular there shall be no discrimination whatever, direct or indirect, in respect of charges or of facilities on the ground of the nationality of passengers or the countries from which or to which they are proceeding, or the origin or ownership of goods or the country from which or to which they are consigned, or the nationality or ownership of the ship or other means of conveying such passengers or goods before or after their transport on the Chinese Railways.

The Contracting Powers, other than China, assume a corresponding obligation in respect of any of the aforesaid railways over which they or their nationals are in a position to exercise any control in virtue of any concession, special agreement or otherwise.

#### ARTICLE VI

The Contracting Powers, other than China, agree fully to respect China's rights as a neutral in time of war to which China is not a party; and China declares that when she is a neutral she will observe the obligations of neutrality.

#### ARTICLE VII

The Contracting Powers agree that, whenever a situation arises which in the opinion of any one of them involves the application of the stipulations of the present Treaty, and renders desirable discussion of such application, there shall be full and frank communication between the Contracting Powers concerned.

#### ARTICLE VIII

Powers not signatory to the present Treaty, which have Governments recognized by the Signatory Powers and which have treaty relations with China, shall be invited to adhere to the present Treaty. To this end the Government of the United States will make the necessary communications to nonsignatory Powers and will inform the Contracting Powers of the replies received. Adherence by any Power shall become effective on receipt of notice thereof by the Government of the United States.

#### ARTICLE IX

The present Treaty shall be ratified by the Contracting Powers in accordance with their respective constitutional methods and shall take effect on the date of the deposit of all the ratifications, which shall take place at Washington as soon as possible. The Government of the United States will transmit to the other Contracting Powers a certified copy of the procès-verbal of the deposit of ratifications.

The present Treaty, of which the French and English texts are both authentic, shall remain deposited in the archives of the Government of the United States, and duly certified copies thereof shall be transmitted by that

Government to the other Contracting Powers. Done at the City of Washington the Sixth day of February

In faith whereof the above-named Plenipotentiaries have signed the present Treaty. One Thousand Nine Hundred and Twenty-Two.

	CHARLES EVANS HUGHES	[L. S.]
	HENRY CABOT LODGE	[L. S.]
	OSCAR W UNDERWOOD	[L. S.]
	ELIHU ROOT	[L. S.]
	BARON DE CARTIER DE MARCHIENNE	[L. S.]
	ARTHUR JAMES BALFOUR	[L. S.]
	LEE OF FAREHAM.	[L. S.]
	A. C. GEDDES	[L. L.]
	R. L. BORDEN.	[L. S.]
	G. F. PEARCE	[L. S.]
	JOHN W. SALMOND	[L. L.]
	ARTHUR JAMES BALFOUR	[L. S.]
	V S SRINIVASA SASTRI	[L. S.]
[L. S.]	SAO-KE ALFRED SZE.	
[L. L.]	V. K. WELLINGTON KOO	
[L. S.]	CHUNG-HUI WANG	
[L. S.]	A SARRAUT	
[L. S.]	JUSSERAND	
[L. S.]	CARLO SCHANZER	
[L. S.]	V. ROLANDI RICCI	
[L. S.]	LUIGI ALBERTINI	
	T. KATO	[L. S.]
	K. SHIDEHARA	[L. S.]
	M. HANIHARA	[L. S.]
	BEELAERTS VAN BLOKLAND	[L. S.]
	W. DE BEAUFORT	[L. S.]
	ALTE	[L. S.]
	ERNESTO DE VASCONCELLOS	[L. S.]

**(7) A TREATY BETWEEN THE NINE POWERS RELATING TO CHINESE CUSTOMS TARIFF**

The United States of America, Belgium, the British Empire, China, France, Italy, Japan, The Netherlands and Portugal:

Oscar W. Underwood,  
Elihu Root,  
citizens of the United States;

With a view to increasing the revenues of the Chinese Government, have resolved to conclude a Treaty relating to the revision of the Chinese customs tariff and cognate matters, and to that end have appointed as their Plenipotentiaries:

His Majesty the King of the Belgians:

Baron de Cartier de Marchienne, Commander of the Order of Leopold and of the Order of the Crown, His Ambassador Extraordinary and Plenipotentiary at Washington;

The President of the United States of America:

Charles Evans Hughes,  
Henry Cabot Lodge,

His Majesty the King of the United Kingdom of Great Britain

and Ireland and of the British Dominions beyond the Seas, Emperor of India:

The Right Honourable Arthur James Balfour O. M., M. P., Lord President of His Privy Council;

The Right Honourable Baron Lee of Fareham, G. B. E., K. C. B., First Lord of His Admiralty;

The Right Honourable Sir Auckland Campbell Geddes, K. C. B., His Ambassador Extraordinary and Plenipotentiary to the United States of America;

and

for the Dominion of Canada:

The Right Honourable Sir Robert Laird Borden, G. C. M. G., K. C.;

for the Commonwealth of Australia:

Senator the Right Honourable George Foster Pearce, Minister for Home and Territories;

for the Dominion of New Zealand:

The Honourable Sir John William Salmond, K. C., Judge of the Supreme Court of New Zealand;

for the Union of South Africa:

The Right Honourable Arthur James Balfour, O. M., M. P.;

for India:

The Right Honourable Valingman Sankaranarayana Srinivasa Sastri, Member of the Indian Council of State;

The President of the Republic of China:

Mr. Sao-Ke Alfred Sze, Envoy Extraordinary and Minister Plenipotentiary at Washington;

Mr. V. K. Wellington Koo, Envoy Extraordinary and Minister Plenipotentiary at London;

Mr. Chung-Hui Wang, former Minister of Justice;

The President of the French Republic:

Mr. Albert Sarraut, Deputy, Minister of the Colonies;

Mr. Jules J. Jusserand, Ambassador Extraordinary and Plenipotentiary to the United States of America, Grand Cross of the National Order of the Legion of Honour;

His Majesty the King of Italy:

The Honourable Carlo Schanzer, Senator of the Kingdom;

The Honourable Vittorio Rolandi Ricci, Senator of the Kingdom. His Ambassador Extraordinary and Plenipotentiary at Washington;

The Honourable Luigi Albertini, Senator of the Kingdom;

His Majesty the Emperor of Japan:

Baron Tomosaburo Kato, Minister for the Navy, Junii, a member of the First Class of the Imperial Order of the Grand Cordon of the Rising Sun with the Paulownia Flower;

Baron Kijuro Shidehara, His Ambassador Extraordinary and Plenipotentiary at Washington, Joshii, a member of the First Class of the Imperial Order of the Rising Sun;

Mr. Masanao Hanihara, Vice Minister for Foreign Affairs, Jushii, a member of the Second Class of the Imperial Order of the Rising Sun;

Her Majesty the Queen of The Netherlands:

Jonkheer Frans Beelaerts van Blokland, Her Envoy Extraordinary and Minister Plenipotentiary; Jonkheer Willem Hendrik de Beaufort, Minister Plenipotentiary, Chargé d'Affaires at Washington;

The President of the Portuguese Republic:

Mr. José Francisco de Horta Machado da Franca, Viscount d'Alte, Envoy Extraordinary and Minister Plenipotentiary at Washington;

Mr. Ernesto Julio de Carvalho e Vasconcellos, Captain of the Portuguese Navy, Technical Director of the Colonial Office;

Who, having communicated to each other their full powers, found to be in good and due form, have agreed as follows:

#### ARTICLE I

The representatives of the Contracting Powers having adopted, on the fourth day of February, 1922, in the City of Washington, a Resolution, which is appended as an Annex to this Article, with respect to the revision of Chinese Customs duties, for the purpose of making such duties equivalent to an effective 5 per centum *ad valorem*, in accordance with existing treaties concluded by China with other nations, the Contracting Powers hereby confirm the said Resolution and undertake to accept the tariff rates fixed as a result of such revision. The said tariff rates shall become effective as soon as possible but not earlier than two months after publication thereof.

#### ANNEX

With a view to providing additional revenue to meet the needs of the Chinese Government, the Powers represented at this Conference, namely the United States of America, Belgium, the British Empire, China, France, Italy, Japan, The Netherlands, and Portugal agree:

That the customs schedule of duties on imports into China adopted by the Tariff Revision Commission at Shanghai on December 19, 1918, shall forthwith be revised so that the rates of duty shall be equivalent to 5 per cent. effective, as provided for in the several commercial treaties to which China is a party.

A Revision Commission shall meet at Shanghai, at the earliest practicable date, to effect this revision forthwith and on the general lines of the last revision.

This Commission shall be composed of representatives of the Powers above named and of representatives of any additional Powers having Governments at present recognized by the Powers represented at this Conference and who have treaties with China providing for a tariff on imports and exports not to exceed 5 per cent. *ad valorem* and who desire to participate therein.

The revision shall proceed as rapidly as possible with a view to its completion within four months from the date of the adoption of this Resolution by the Conference on the Limitation of Armament and Pacific and Far Eastern Questions.

The revised tariff shall become effective as soon as possible but not earlier than two months after its publication by the Revision Commission.

The Government of the United States, as convener of the present Conference, is requested forthwith to communicate the terms

of this Resolution to the Governments of Powers not represented at this Conference but who participated in the Revision of 1918, aforesaid.

#### ARTICLE II

Immediate steps shall be taken, through a Special Conference, to prepare the way for the speedy abolition of likin and for the fulfillment of the other conditions laid down in Article VIII of the Treaty of September 5th, 1902, between Great Britain and China, in Articles IV and V of the Treaty of October 8th, 1903, between the United States and China, and in Article I of the Supplementary Treaty of October 8th, 1903, between Japan and China, with a view to levying the surtaxes provided for in those articles.

The Special Conference shall be composed of representatives of the Signatory Powers, and of such other Powers as may desire to participate and may adhere to the present Treaty, in accordance with the provisions of Article VIII, in sufficient time to allow their representatives to take part. It shall meet in China within three months after the coming into force of the present Treaty, on a day and at a place to be designated by the Chinese Government.

#### ARTICLE III

The Special Conference provided for in Article II shall consider the interim provisions to be applied prior to the abolition of likin and the fulfillment of the other conditions laid down in the articles of the treaties mentioned in Article II; and it shall authorize the levying of a surtax on dutiable imports as from such date, for such purposes, and subject to such conditions as it may determine.

The surtax shall be at a uniform rate of 2½ per centum *ad valorem*, provided, that in case of certain articles of luxury which, in the opinion of the Special Conference, can bear a greater increase without unduly impeding trade, the total surtax may be increased but may not exceed 5 per centum *ad valorem*.

#### ARTICLE IV

Following the immediate revision of the customs schedule of duties on imports into China, mentioned in Article I, there shall be a further revision thereof to take effect at the expiration of four years following the completion of the aforesaid immediate revision, in order to ensure that the customs duties shall correspond to the *ad valorem* rates fixed by the Special Conference provided for in Article II.

Following this further revision there shall be, for the same purpose, periodical revisions of the customs schedule of duties on imports into China every seven years, in lieu of the decennial revision authorized by existing treaties with China.

In order to prevent delay, any revision made in pursuance of this Article shall be effected in accordance with rules to be prescribed by the Special Conference provided for in Article II.

#### ARTICLE V

In all matters relating to customs duties there shall be effective equality of treatment and opportunity for all the Contracting Powers.

#### ARTICLE VI

The principle of uniformity in the rates of customs duties levied at all the land and maritime frontiers of China is hereby recognized. The Special Conference provided for in Article II shall

make arrangements to give practical effect to this principle; and it is authorized to make equitable adjustments in those cases in which a customs privilege to be abolished was granted in return for some local economic advantage.

In the meantime, any increase in the rates of customs duties resulting from tariff revision, or any surtax hereafter imposed in pursuance of the present Treaty, shall be levied at a uniform rate *ad valorem* at all land and maritime frontiers of China.

#### ARTICLE VII

The charge for transit passes shall be at the rate of 2½ per centum *ad valorem* until the arrangements provided for by Article II come into force.

#### ARTICLE VIII

Powers not signatory to the present Treaty whose Governments are at present recognized by the Signatory Powers, and whose present treaties with China provide for a tariff on imports and exports not to exceed 5 per centum *ad valorem*, shall be invited to adhere to the present Treaty.

The Government of the United States undertakes to make the necessary communications for this purpose and to inform the Governments of the Contracting Powers of the replies received. Adherence by any Power shall become effective on receipt of notice thereof

by the Government of the United States.

#### ARTICLE IX

The provisions of the present Treaty shall override all stipulations of treaties between China and the respective Contracting Powers which are inconsistent therewith, other than stipulations according most favored nation treatment.

#### ARTICLE X

The present Treaty shall be ratified by the Contracting Powers in accordance with their respective constitutional methods and shall take effect on the date of the deposit of all the ratifications, which shall take place at Washington as soon as possible. The Government of the United States will transmit to the other Contracting Powers a certified copy of the procès-verbal of the deposit of ratifications.

The present Treaty, of which the English and French texts are both authentic, shall remain deposited in the archives of the Government of the United States, and duly certified copies thereof shall be transmitted by that Government to the other Contracting Powers.

In faith whereof the above-named Plenipotentiaries have signed the present Treaty.

Done at the City of Washington the sixth day of February, One Thousand Nine Hundred and Twenty-two.

RESOLUTIONS

**NO. 1. RESOLUTION FOR A COMMISSION OF JURISTS TO CONSIDER AMENDMENT OF LAWS OF WAR**

The United States of America, the British Empire, France, Italy and Japan have agreed:—

I. That a Commission composed of not more than two members representing each of the above-mentioned Powers shall be constituted to consider the following questions:—

(a) Do existing rules of International Law adequately cover new methods of attack or defense resulting from the introduction or development, since the Hague Conference of 1907, of new agencies of warfare?

(b) If not so, what changes in the existing rules ought to be adopted in consequence thereof as a part of the law of nations?

II. That notices of appointment of the members of the Commission shall be transmitted to the Government of the

United States of America within three months after the adjournment of the present Conference, which after consultation with the Powers concerned will fix the day and place for the meeting of the Commission.

III. That the Commission shall be at liberty to request assistance and advice from experts in International law and in land, naval and aerial warfare.

IV. That the Commission shall report its conclusions to each of the Powers represented in its membership.

Those Powers shall thereupon confer as to the acceptance of the report and the course to be followed to secure the consideration of its recommendations by the other civilized Powers.

Adopted by the Conference on the Limitation of Armament, at the Sixth Plenary Session, February 4th, 1922.

**NO. 2. RESOLUTION LIMITING JURISDICTION OF COMMISSION OF JURISTS PROVIDED IN RESOLUTION NO. 1**

Resolved, That it is not the intention of the Powers agreeing to the appointment of a Commission to consider and report upon the rules of International Law respecting new agencies of warfare that the Commission shall review or report upon the rules or delara-

tions relating to submarines or the use of noxious gases and chemicals already adopted by the Powers in this conference.

Adopted by the Conference on the Limitation of Armament at the Sixth Plenary Session, February 4th, 1922.

### NO. 3. RESOLUTION REGARDING A BOARD OF REFERENCE FOR FAR EASTERN QUESTION

The representatives of the Powers assembled at the present Conference at Washington, to-wit;

The United States of America, Belgium, the British Empire, China, France, Italy, Japan, The Netherlands and Portugal:

Desiring to provide a procedure for dealing with questions that may arise in connection with the execution of the provisions of Articles III and V of the Treaty to be signed at Washington on February 6th, 1922, with reference to their general policy designed to stabilize conditions in the Far East, to safeguard the rights and interests of China, and to promote intercourse between China and the other Powers upon the basis of equality of opportunity;

Resolve that there shall be established in China a Board of Reference to which any questions arising in connection with the execution of the aforesaid Articles may be referred for investigation and report.

The Special Conference provided for in Article II of the Treaty to be signed at Washington on February 6th, 1922, with reference to the Chinese Customs Tariff, shall formulate for the approval of the Powers concerned a detailed plan for the constitution of the Board.

Adopted by the Conference on the Limitation of Armament at the Sixth Plenary Session February 4th, 1922.

### NO. 4. RESOLUTION REGARDING EXTRATERRITORIALITY IN CHINA

The representatives of the Powers hereinafter named, participating in the discussion of Pacific and Far Eastern questions in the Conference on the Limitation of Armament, to wit, the United States of America, Belgium, the British Empire, France, Italy, Japan, the Netherlands, and Portugal,—

Having taken note of the fact that in the Treaty between Great Britain and China dated September 5, 1902, in the Treaty between the United States of America and China dated October 8, 1903, and in the Treaty between Japan and China dated October 8, 1903, these several Powers have agreed to give every assistance towards the attainment by the Chinese Government of its expressed desire to reform its

judicial system and to bring it into accord with that of Western nations, and have declared that they are also "prepared to relinquish extraterritorial rights when satisfied that the state of the Chinese laws, the arrangements for their administration, and other considerations warrant" them in so doing;

Being sympathetically disposed towards furthering in this regard the aspiration to which the Chinese delegation gave expression on November 16, 1921, to the effect that "immediately, or as soon as circumstances will permit, existing limitations upon China's political, jurisdictional and administrative freedom of action are to be removed";

Considering that any determination in regard to such action as

might be appropriate to this end must depend upon the ascertainment and appreciation of complicated states of fact in regard to the laws and the judicial system and the methods of judicial administration of China, which this Conference is not in a position to determine;

Have resolved

That the Governments of the Powers above named shall establish a Commission (to which each of such Governments shall appoint one member) to inquire into the present practice of extraterritorial jurisdiction in China, and into the laws and the judicial system and the methods of judicial administration of China, with a view to reporting to the Governments of the several Powers above named their findings of fact in regard to these matters, and their recommendations as to such means as they may find suitable to improve the existing conditions of the administration of justice in China, and to assist and further the efforts of the Chinese Government to effect such legislation and judicial reforms as would warrant the several Powers in relinquishing, either progressively or otherwise, their respective rights of extraterritoriality;

That the Commission herein contemplated shall be constituted within three months after the adjournment of the Conference in accordance with detailed arrangements to be hereafter agreed upon by the Governments of the Powers above named, and shall be instructed to submit its report and recommendations within one year after the first meeting of the Commission;

That each of the Powers above named shall be deemed free to accept or to reject all or any portion of the recommendations of the Commission herein contemplated, but that in no case shall any of

the said Powers make its acceptance of all or any portion of such recommendations either directly or indirectly dependent on the granting by China of any special concession, favor, benefit or immunity, whether political or economic.

#### ADDITIONAL RESOLUTION

That the non-signatory Powers, having by treaty extraterritorial rights in China, may accede to the resolution affecting extraterritoriality and the administration of justice in China by depositing within three months after the adjournment of the Conference a written notice of accession with the Government of the United States for communication by it to each of the signatory Powers.

#### ADDITIONAL RESOLUTION

That China, having taken note of the resolutions affecting the establishment of a Commission to investigate and report upon extraterritoriality and the administration of justice in China, expresses its satisfaction with the sympathetic disposition of the Powers hereinbefore named in regard to the aspiration of the Chinese Government to secure the abolition of extraterritoriality in China, and declares its intention to appoint a representative who shall have the right to sit as a member of the said Commission, it being understood that China shall be deemed free to accept or to reject any or all of the recommendations of the Commission. Furthermore, China is prepared to cooperate in the work of this Commission and to afford to it every possible facility for the successful accomplishment of its tasks.

Adopted by the Conference on the Limitation of Armament at the Fourth Plenary Session, December 10, 1921.

**NO. 5. RESOLUTION REGARDING FOREIGN POSTAL AGENCIES IN CHINA**

A. Recognizing the justice of the desire expressed by the Chinese Government to secure the abolition of foreign postal agencies in China, save or except in leased territories or as otherwise specifically provided by treaty, it is resolved:

(1) The four Powers having such postal agencies agree to their abandonment subject to the following conditions:

(a) That an efficient Chinese postal service is maintained;

(b) That an assurance is given by the Chinese Government that they contemplate no change in the present postal administration so far as the status of the foreign Co-Director General is concerned.

(2) To enable China and the Powers concerned to make

the necessary dispositions, this arrangement shall come into force and effect not later than January 1, 1923.

B. Pending the complete withdrawal of foreign postal agencies, the four Powers concerned severally undertake to afford full facilities to the Chinese customs authorities to examine in those agencies all postal matter (excepting ordinary letters, whether registered or not, which upon external examination appear plainly to contain only written matter) passing through them, with a view to ascertaining whether they contain articles which are dutiable or contraband or which otherwise contravene the customs regulations or laws of China.

Adopted by the Conference of the Limitation of Armament at the Fifth Plenary Session February 1st, 1922.

**NO. 6. RESOLUTION REGARDING ARMED FORCES IN CHINA**

Whereas

The Powers have from time to time stationed armed forces, including police and railway guards, in China to protect the lives and property of foreigners lawfully in China;

And whereas

It appears that certain of these armed forces are maintained in China without the authority of any treaty or agreement;

And whereas

The Powers have declared their intention to withdraw their armed forces now on duty in China without the authority of any treaty or agreement, whenever China shall assure the protection of the lives and property of foreigners in China;

And whereas

China has declared her intention and capacity to assure the protection of the lives and property of foreigners in China;

Now

To the end that there may be clear understanding of the conditions upon which in each case the practical execution of those intentions must depend;

It is resolved:

That the Diplomatic Representatives in Peking of the Powers now in Conference at Washington, to wit, the United States of America, Belgium, the British Empire, France, Italy, Japan, The Netherlands and Portugal, will be instructed by their respective Governments, whenever

China shall so request, to associate themselves with three representatives of the Chinese Government to conduct collectively a full and impartial inquiry into the issues raised by the foregoing declarations of intention made by the Powers and by China and shall thereafter prepare a full and comprehensive report setting out without reservation their findings of fact and their opinion with regard to the matter hereby referred for inquiry, and shall furnish a copy of their report to each of the nine Governments concerned which shall severally make public the report with such comment as each may deem appropriate. The representatives of any of the powers may make or

join in minority reports stating their differences, if any, from the majority report.

That each of the Powers above named shall be deemed free to accept or reject all or any of the findings of fact or opinions expressed in the report but that in no case shall any of the said Powers make its acceptance of all or any of the findings of fact or opinions either directly or indirectly dependent on the granting by China of any special concession, favor, benefit or immunity, whether political or economic.

Adopted by the Conference on the Limitation of Armament at the Fifth Plenary Session, February 1st, 1922

## NO. 7. RESOLUTION REGARDING RADIO STATIONS IN CHINA AND ACCOMPANYING DECLARATIONS

The representatives of the Powers hereinafter named participating in the discussion of Pacific and Far Eastern questions in the Conference on the Limitation of Armament—to wit: The United States of America, Belgium, The British Empire, China, France, Italy, Japan, The Netherlands and Portugal,

Have resolved

1. That all radio stations in China whether maintained under the provisions of the international protocol of September 7, 1901, or in fact maintained in the grounds of any of the foreign legations in China, shall be limited in their use to sending and receiving government messages and shall not receive or send commercial or personal or unofficial messages, including press matter: Provided, however, that in case all other telegraphic communication is interrupted, then, upon official notification accompanied by proof of such interruption to the Chinese

Ministry of Communications, such stations may afford temporary facilities for commercial, personal or unofficial messages, including press matter, until the Chinese Government has given notice of the termination of the interruption;

2. All radio stations operated within the territory of China by a foreign government or the citizens or subjects thereof under treaties or concessions of the Government of China, shall limit the messages sent and received by the terms of the treaties or concessions under which the respective stations are maintained;

3. In case there be any radio station maintained in the territory of China by a foreign government or citizens or subjects thereof without the authority of the Chinese Government, such station and all the plant, apparatus and material thereof shall be transferred to and taken over by the Government of China, to be

operated under the direction of the Chinese Ministry of Communications upon fair and full compensation to the owners for the value of the installation, as soon as the Chinese Ministry of Communications is prepared to operate the same effectively for the general public benefit;

4. If any questions shall arise as to the radio stations in leased territories, in the South Manchurian Railway Zone or in the French Concession at Shanghai, they shall be regarded as matters for discussion between the Chinese Government and the Governments concerned.

5. The owners or managers of all radio stations maintained in the territory of China by foreign powers or citizens or subjects thereof shall confer with the Chinese Ministry of Communications for the purpose of seeking a common arrangement to avoid interference in the use of wave lengths by wireless stations in China, subject to such general arrangements as may be made by an international conference convened for the revision of the rules established by the International Radio Telegraph Convention signed at London, July 5, 1912.

Adopted by the Conference on the Limitation of Armament at the Fifth Plenary Session, February 1st, 1922.

**NO. 8. RESOLUTION REGARDING UNIFICATION OF RAILWAYS IN CHINA AND ACCOMPANYING DECLARATION BY CHINA**

The Powers represented in this Conference record their hope that to the utmost degree consistent with legitimate existing rights, the future development of railways in China shall be so conducted as to enable the Chinese Government to effect the unification of railways into a railway

**DECLARATION CONCERNING THE RESOLUTION ON RADIO STATIONS IN CHINA OF DECEMBER 7, 1921**

The Powers other than China declare that nothing in paragraphs 3 or 4 of the Resolutions of 7th December, 1921, is to be deemed to be an expression of opinion by the Conference as to whether the stations referred to therein are or are not authorized by China.

They further give notice that the result of any discussion arising under paragraph 4 must, if it is not to be subject to objection by them, conform with the principles of the Open Door or equality of opportunity approved by the Conference.

**CHINESE DECLARATION CONCERNING RESOLUTION OF DECEMBER 7TH REGARDING RADIO STATIONS IN CHINA**

The Chinese Delegation takes this occasion formally to declare that the Chinese Government does not recognize or concede the right of any foreign Power or of the nationals thereof to install or operate, without its express consent, radio stations in legation grounds, settlements, concessions, leased territories, railway areas or other similar areas.

system under Chinese control, with such foreign financial and technical assistance as may prove necessary in the interests of that system.

Adopted by the Conference on the Limitation of Armament at the Fifth Plenary Session February 1st, 1922.

STATEMENT REGARDING CHINESE RAILWAYS MADE ON JANUARY 19, 1922, BY THE CHINESE DELEGATION

The Chinese Delegation notes with sympathetic appreciation the expression of the hope of the Powers that the existing and future railways of China may be unified under the control and operation of the Chinese Government with such foreign financial and technical assistance as may be needed. It is our intention as speedily as possible to bring about this result. It is our purpose to develop existing

and future railways in accordance with a general programme that will meet the economic, industrial and commercial requirements of China. It will be our policy to obtain such foreign financial and technical assistance as may be needed from the Powers in accordance with the principles of the Open Door or equal opportunity; and the friendly support of these Powers will be asked for the effort of the Chinese Government to bring all the railways of China, now existing or to be built, under its effective and unified control and operation.

### NO. 9. RESOLUTION REGARDING THE REDUCTION OF CHINESE MILITARY FORCES

Whereas the Powers attending this Conference have been deeply impressed with the severe drain on the public revenue of China through the maintenance in various parts of the country, of military forces, excessive in number and controlled by the military chiefs of the provinces without coordination,

And whereas the continued maintenance of these forces appears to be mainly responsible for China's present unsettled political conditions,

And whereas it is felt that large and prompt reductions of these forces will not only advance the cause of China's political unity and economic development but will hasten her financial rehabilitation;

Therefore, without any intention to interfere in the internal problems of China, but animated

by the sincere desire to see China develop and maintain for herself an effective and stable government alike in her own interest and in the general interest of trade;

And being inspired by the spirit of this Conference whose aim is to reduce, through the limitation of armament, the enormous disbursements, which manifestly constitute the greater part of the encumbrance upon enterprise and national prosperity;

It is resolved: That this Conference express to China the earnest hope that immediate and effective steps may be taken by the Chinese Government to reduce the aforesaid military forces and expenditures.

Adopted by the Conference on the Limitation of Armament at the Fifth Plenary Session, February 1st, 1922.

## NO. 10. RESOLUTION REGARDING EXISTING COMMITMENTS OF CHINA OR WITH RESPECT TO CHINA

The Powers represented in this Conference, considering it desirable that there should hereafter be full publicity with respect to all matters affecting the political and other international obligations of China and of the several Powers in relation to China, are agreed as follows:

I. The several Powers other than China will at their earliest convenience file with the Secretariat General of the Conference for transmission to the participating Powers, a list of all treaties, conventions, exchange of notes, or other international agreements which they may have with China, or with any other Power or Powers in relation to China, which they deem to be still in force and upon which they may desire to rely. In each case, citations will be given to any official or other publication in which an authoritative text of the documents may be found. In any case in which the document may not have been published, a copy of the text (in its original language or languages) will be filed with the Secretariat General of the Conference.

Every Treaty or other international agreement of the character described which may be concluded hereafter shall be notified by the Governments concerned within sixty (60) days of its conclusion to the Powers who are signatories of or adherents to this agreement.

II. The several Powers other than China will file with the Secretariat General of the Conference at their earliest convenience for transmission to the participating Powers a list, as nearly complete as may be possible, of all those contracts between their nationals, of the one part, and the Chinese Government or any of its admin-

istrative subdivisions or local authorities, of the other part, which involve any concession, franchise, option or preference with respect to railway construction, mining, forestry, navigation, river conservancy, harbor works, reclamation, electrical communications, or other public works or public services, or for the sale of arms or ammunition, or which involve a lien upon any of the public revenues or properties of the Chinese Government or of any of its administrative subdivisions. There shall be, in the case of each document so listed, either a citation to a published text, or a copy of the text itself.

Every contract of the public character described which may be concluded hereafter shall be notified by the Governments concerned within sixty (60) days after the receipt of information of its conclusion to the Powers who are signatories of or adherents to this agreement.

III. The Chinese Government agrees to notify in the conditions laid down in this agreement every treaty agreement or contract of the character indicated herein which has been or may hereafter be concluded by that Government or by any local authority in China with any foreign Power or the nationals of any foreign Power whether party to this agreement or not, so far as the information is in its possession.

IV. The Governments of Powers having treaty relations with China, which are not represented at the present Conference, shall be invited to adhere to this agreement.

The United States Government, as convenor of the Conference, undertakes to communicate

this agreement to the Govern- Adopted by the Conference on  
ments of the said Powers, with a the Limitation of Armament at  
view to obtaining their adherence the Fifth Plenary Session Feb-  
thereto as soon as possible. ruary 1st, 1922.

**NO. 11. RESOLUTION REGARDING THE CHINESE EASTERN RAILWAY, APPROVED BY ALL THE POWERS INCLUDING CHINA**

Resolved, That the preserva- use of funds to prevent waste of  
tion of the Chinese Eastern Rail- the property.  
way for those in interest requires That the subject should imme-  
that better protection be given diately be dealt with through  
to the railway and the persons the proper Diplomatic channels.  
engaged in its operation and use, Adopted by the Conference on  
a more careful selection of per- the Limitation of Armament  
sonnel to secure efficiency of at the Sixth Plenary Session  
service, and a more economical February 4th, 1922.

**NO. 12. RESOLUTION REGARDING THE CHINESE EASTERN RAILWAY, APPROVED BY ALL THE POWERS OTHER THAN CHINA**

The Powers other than China the Powers deem to result from  
in agreeing to the resolution the contracts under which the  
regarding the Chinese Eastern railroad was built and the action  
Railway, reserve the right to of China thereunder and the  
insist hereafter upon the re- obligations which they deem to  
sponsibility of China for per- be in the nature of a trust re-  
formance or non-performance of sulting from the exercise of power  
the obligations towards the for- by the Chinese Government over  
eign stockholders, bondholders the possession and administra-  
and creditors of the Chinese tion of the railroad.  
Eastern Railway Company which

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ANNEX 2

DEPARTMENT OF STATE,  
January 7, 1932.

For the press.

*[Confidential release for publication in morning newspapers of Friday, January 8, 1932, which do not appear on the streets before 9 p. m., eastern standard time, January 7th, 1932. Not to be previously published, quoted from or used in any way.]*

The Secretary of State today instructed the American Ambassador at Tokio and the American Minister in Peiping to deliver the following identic note to the Japanese Government and the Chinese Government respectively:

"With the recent military operations about Chinchow, the last remaining administrative authority of the Government of the Chinese Republic in South Manchuria, as it existed prior to September 18th,

1931, has been destroyed. The American Government continues confident that the work of the neutral commission recently authorized by the Council of the League of Nations will facilitate an ultimate solution of the difficulties now existing between China and Japan. But in view of the present situation and of its own rights and obligations therein, the American Government deems it to be its duty to notify both the Imperial Japanese Government and the Government of the Chinese Republic that it cannot admit the legality of any situation de facto nor does it intend to recognize any treaty or agreement entered into between those Governments, or agents thereof, which may impair the treaty rights of the United States or its citizens in China, including those which relate to the sovereignty, the independence, or the territorial and administrative integrity of the Republic of China, or to the international policy relative to China, commonly known as the open-door policy; and that it does not intend to recognize any situation, treaty or agreement which may be brought about by means contrary to the covenants and obligations of the Pact of Paris of August 27, 1928, to which Treaty both China and Japan, as well as the United States, are parties."

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ANNEXES 3 AND 4

DEPARTMENT OF STATE,

For the press

*March 20, 1934.*

[Special confidential instruction. Not to be telegraphed, cabled, or radioed before 3 a. m., eastern standard time, March 21, 1934.]  
 [Confidential release for publication in the afternoon newspapers of Wednesday, March 21, in the United States and Europe; and in the Thursday morning newspapers, March 22, in the Far East. Not to be previously published, quoted from, or used in any way.]

TEXT OF INFORMAL AND PERSONAL MESSAGE FROM MR. HIROTA, MINISTER FOR FOREIGN AFFAIRS OF JAPAN, HANDED TO THE SECRETARY OF STATE OF THE UNITED STATES BY THE JAPANESE AMBASSADOR, MR. HIROSI SAITO, FEBRUARY 21, 1934

"JAPANESE EMBASSY,  
*Washington.*

"Informal and personal Message from Mr. Hirota, Minister for Foreign Affairs, as Telegraphed to Mr. Saito, the Japanese Ambassador.

"To the Honorable  
 the SECRETARY OF STATE.

"It is a significant fact that every since Japan and the United States opened their doors to each other exactly eighty years ago, the two countries have always maintained a relationship of friendliness and cordiality.

"It is a matter for gratification to both our countries that they produce very few commodities which represent conflicting interests in their foreign trade, that each supplies what the other wants, that they are good customers of each other's products, and that they are strengthening their relation of interdependence year after year.

"I firmly believe that viewed in the light of the broad aspect of the situation and studied from all possible angles, no question exists between our two countries that is fundamentally incapable of amicable solution. I do not doubt that all issues pending between the two nations will be settled in a satisfactory manner, when examined with a good understanding on the part of each of the other's position, discussed with an open mind and in all frankness, and approached with a spirit of cooperation and conciliation.

"I can state with all emphasis at my command that the Japanese nation makes it its basic principle to collaborate in peace and harmony with all nations and has no intention whatever to provoke and make trouble with any other Power.

"It is the sincere desire of Japan that a most peaceful and friendly relation will be firmly established between her and her great neighbor across the Pacific, the United States. And to this end I have been exerting my best efforts since I took the post of Foreign Minister.

"I am happy, therefore, to avail myself of the occasion of the arrival in your country of Mr. Saito, the new Ambassador, to lay before you, through him, Mr. Secretary, my thoughts as to the necessity of promoting our traditional friendship as above.

"I hope and believe that the desire of the Japanese Government in this respect will be reciprocated by a full support and countenance on the part of your Government."

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TEXT OF THE REPLY OF THE SECRETARY OF STATE, MR. CORDELL HULL, TO THE MESSAGE OF THE JAPANESE MINISTER FOR FOREIGN AFFAIRS, HANDED TO THE JAPANESE AMBASSADOR BY THE SECRETARY OF STATE ON MARCH 3, 1934

"Mr. Saito, the new Ambassador of Japan to the United States, has delivered to me the personal and informal message which you have been so good as to send me.

"The cordial sentiments which you express in this message I highly appreciate and reciprocate.

"I have not failed to note, with gratification, Your Excellency's effort to foster friendly relations with other powers. In all such effort I am sure that you realize that you may rely upon me for the fullest possible measure of cooperation.

"You express the opinion that viewed in the light of the broad aspects of the situation and studied from all possible angles no question exists between our two countries that is fundamentally incapable of amicable solution. I fully concur with you in that opinion. Further, I believe that there are in fact no questions between our two countries which if they be viewed in proper perspective in both countries can with any warrant be regarded as not readily susceptible to adjustment by pacific processes. It is the fixed intention of the American Government to rely, in prosecution of its national policies, upon such processes. If unhappily there should arise in the future any controversy between our two countries, the American Government will be prepared, as I believe it always has been in the past, to examine the position of Japan in a spirit of amity and of desire for peaceful and just settlement, with the confident expectation that the

Japanese Government will be prepared to examine the position of the United States in the same spirit.

"You refer to the gratifying fact that in the field of trade the interests of our two countries are not in conflict and commercial ties are being constantly strengthened. I perceive every reason to anticipate that the United States and Japan will continue to develop their reciprocal trade with benefit to both countries and, where there may be competition, with constant reciprocal good will.

"You state emphatically that Japan has no intention whatever to provoke and make trouble with any other power. I receive this statement with special gratification and I am glad to take this opportunity to state categorically that the United States on its part has no desire to create any issues and no intention to initiate any conflict in its relations with other countries.

"In the light of these facts I feel that I should also avail myself of this opportunity to express my earnest hope that it may be possible for all of the countries which have interests in the Far East to approach every question existing or which may arise between or among them in such spirit and manner that these questions may be regulated or resolved with injury to none and with definite and lasting advantage to all.

"I shall of course be glad to receive through the Ambassador of Japan to the United States or the Ambassador of the United States to Japan any suggestions calculated to maintain and to increase that friendliness and cordiality which have constantly marked since the conclusion of our first treaty the relations between our two countries. You may count upon my earnest desire to favor any measure or steps which may be practicable toward this end and toward fostering at the same time relations of peace, good will, and general benefit among all members of the Family of Nations."

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#### ANNEX 5

DEPARTMENT OF STATE,  
*April 30, 1934.*

*For the press.*

[Confidential release for publication at 9:00 p. m. eastern standard time, April 30, 1934. Not to be previously published, quoted from, or used in any way.]

The American Ambassador to Japan under instruction from the Department of State called on the Japanese Minister for Foreign Affairs on April 29 and made a statement the substance of which was as follows:

Recent indications of attitude on the part of the Japanese Government with regard to the rights and interests of Japan and other countries in China and in connection with China have come from sources so authoritative as to preclude their being ignored and make it necessary that the American Government, adhering to the tradition of frankness that has prevailed in relations between it and the Government of Japan, reaffirm the position of the United States with regard to questions of rights and interests involved.

The relations of the United States with China are governed, as are our relations with Japan and our relations with other countries, by the generally accepted principles of international law and the provisions of treaties to which the United States is a party. The United States has with regard to China certain rights and certain obligations. In addition, it is associated with China or with Japan or with both, together with certain other countries, in multilateral treaties relating to rights and obligations in the Far East, and in one great multilateral treaty to which practically all the countries of the world are parties.

Treaties can lawfully be modified or be terminated only by processes prescribed or recognized or agreed upon by the parties to them.

In the international associations and relationships of the United States, the American Government seeks to be duly considerate of the rights, the obligations, and the legitimate interests of other countries, and it expects on the part of other governments due consideration of the rights, the obligations, and the legitimate interests of the United States. In the opinion of the American people and the American Government, no nation can, without the assent of the other nations concerned, rightfully endeavor to make conclusive its will in situations where there are involved the rights, the obligations, and the legitimate interests of other sovereign states.

The American Government has dedicated the United States to the policy of the good neighbor and to the practical application of that policy it will continue, on its own part and in association with other governments, to devote its best efforts.

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#### ANNEX 6

#### AMERICAN NATIONALS KILLED OR WOUNDED BY JAPANESE FORCES IN CHINA SINCE JULY 7, 1937

J. P. McMichael attached to the U. S. S. *Augusta*; Shanghai, October 14, 1937: Injured by fragment of explosive shell fired by Japanese destroyer into Pootung.

Carl Harry Carlson, of S. S. *Mei An*; in the Yangtze above Nanking, December 12, 1937: Killed in the bombing of the U. S. S. *Panay* and Standard Vacuum Oil Company vessels.

Charles L. Ensminger, of enlisted personnel of U. S. S. *Panay*; Hohsien, Anhwei, December 13, 1937: Died as a result of wounds received during the bombing of the U. S. S. *Panay*.

E. E. W. Hulsebus, of enlisted personnel of U. S. S. *Panay*; Shanghai, December 19, 1937: Died as a result of wounds received during the bombing of the U. S. S. *Panay*.

Forty-eight American nationals of the passengers and personnel of the U. S. S. *Panay* were injured; in the Yangtze above Nanking, December 12, 1937.

Dr. Frederick G. Scovel, Presbyterian missionary; Tsining, Shantung, June 2, 1938: Shot through the side by intoxicated Japanese soldier.

Father William J. Downs, of Maryknoll Mission; Swatow, July 1, 1938: Slightly wounded during bombing of mission by Japanese planes.

Phoebe Nyhus, aged 3, daughter of Arthur E. Nyhus of Lutheran Brethren Mission; Tungpeh, Honan, October 24, 1938: Killed during bombing of mission by Japanese planes.

Mrs. Arthur E. Nyhus of Lutheran Brethren Mission; Tungpeh, Honan, October 24, 1938: Injured during bombing of mission by Japanese planes.

Ruth Nyhus of Lutheran Brethren Mission; Tungpeh, Honan, October 24, 1938: Injured during bombing of mission by Japanese planes.

James Willard Smith; Peiping, December 3, 1938: Injured in collision between bicycle on which he was riding and Japanese military truck. Circumstances of accident not established. Japanese military authorities proffered solatium which was accepted.

Father Robert Patrick Kennelly of American Catholic Mission; Loting, Kwangtung, February 25, 1939: Received six shrapnel wounds during bombing of mission by Japanese planes.

Mrs. S. H. Liljestrad, wife of S. H. Liljestrad of the West China Union University; Chengtu, night of June 11-12, 1939: Injured by flying glass during bombing of Chengtu by Japanese planes.

Alfred Kohlberg, President, Alfred Kohlberg, Incorporated, New York; between Swatow and Chaochoufu, August 31, 1939: While proceeding in a launch flying the American flag Mr. Kohlberg was injured by a shot from the shore which passed through the side of the launch.

W. C. Kent, pilot of commercial transport plane of the National Aviation Corporation; Changyi, Yunnan, October 29, 1940: Killed as a result of an attack by Japanese planes upon the plane which he was piloting.

Myron Terry; Chenghsien, Honan, May 7, 1941: Wounded in the bombing of the American Free Methodist Mission by Japanese planes.

Jessie Platz, American nurse; Amoy, Fukien, August 18, 1941: Wounded during Japanese bombing of the hospital of the Reformed Church Mission at Amoy.

American marine sentry on duty; Peiping, October 28, 1941: Injured in the foot by a shot from a pistol fired at short range.

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#### ANNEX 7

#### AMERICAN PROPERTY IN CHINA REPORTED TO HAVE BEEN DAMAGED, DESTROYED, OR SERIOUSLY ENDANGERED BY JAPANESE AIR BOMBING OR AIR MACHINE GUNNING SINCE JULY 7, 1937<sup>1</sup>

1937

July 27, Tungchow, Hupeh: American Board Mission.

July 29, Tungchow, Hupeh: American Board Mission.

Before August 10, 1937, Hopei, Tientsin: American Board Mission, North China mission.

August 15, Tungshisungkia (Yukiang), Kiangsi: Vincentian Catholic Mission (Lazarists); seminary.

August 16, Shanghai: Poplar Grove Dairy.

August 16, Soochow, Kiangsu: Southern Baptist Mission; air machine gunning.

<sup>1</sup> This list does not purport to be complete. The organization or individual listed in each case is the owner of the property as reported. Damage is from bombing except as otherwise indicated.

August 17, Nantungehow, Kiangsu: United Christian Missionary Society; hospital, school, residence.

August 20, Shanghai: Poplar Grove Dairy; bombing and air machine gunning.

August 20, Kiukiang, Kiangsi: Anderson, Meyer & Co., Ltd.; Kiushing Cotton Mill; bombing.

August 21, Chinkiang, Kiangsu: Standard-Vacuum Oil Co.; oil tank; air machine gunning.

August 24, Shanghai: Poplar Grove Dairy; bombing and air machine gunning.

August 25, Shanghai: Poplar Grove Dairy; bombing and air machine gunning and hand grenades.

August 26, Shanghai: Poplar Grove Dairy; bombing and air machine gunning.

August 26, Nanchang, Kiangsi: Methodist Episcopal Church, Baldwin School, Harrington Home, Johnson Memorial Library.

August 27, Suanhwafu, Chahar: Standard-Vacuum Oil Company.

Between August 27 and September 5, Huailai, Chahar: Methodist Episcopal Church; North China Mission.

August, Nanking: American Advent Mission Society; compound at 7 Pao Tai Chieh; church and parsonage at Ta Shih Chiso.

September 8, Shanghai: Viola A. Smith; houseboat damaged.

September 8, Minghong (near Shanghai): Anthony C. Miccia; motor yacht *Gypsy* sunk.

September 12, Waichow, Kwangtung: Seventh Day Adventist Mission.

September 12, Pootung, Kiangsu: Richard Barz; property at Tungkow Creek destroyed.

September 14, Chihkiachuang, Hopeh: Texas Co. (China), Ltd.; bombing.

September 24, Nanchang, Kiangsi: Methodist Episcopal Church; Ida Kahn Women's Hospital.

October 19, Pukow, Kiangsu: Standard-Vacuum Oil Company.

October 29, Sungkiang, Kiangsu: Methodist Episcopal Mission South.

October, Yuanp'ing, Shansi: Pentecostal Church.

November 2, Sungkiang, Kiangsu: American Church Mission.

November 10, Taiyuan, Shansi: Texas Co. (China), Ltd.

November 12, Wusih, Kiangsu: American Church Mission.

November 24, Tawankow, Shantung: Baptist China Direct Mission.

December 9, Chaochen, Hopeh: Church of the Nazarene Mission.

December 10, Nanking: Nanking Theological Seminary.

December 12, Yangtze River above Nanking: Bombing and sinking or burning of the U. S. S. *Panay* and Standard-Vacuum Oil Co. vessels *Mei Ping*, *Mei An*, *Mei Hsia*.

December 20, Kiukiang, Kiangsi: Anderson, Meyer & Co., Ltd.

December 30, Canton: Presbyterian Mission; Union Normal School compound.

1938

January 10, Tsining, Shantung: Southern Baptist Mission.

January 24, Chaohsien, Anhwei: American Advent Mission Society.

January 24, Ichang Hupeh: Evangelical Lutheran Mission.

February 14, Chenghsien (Chengehow), Honan: (1) Free Methodist Mission; (2) Southern Baptist Mission.

- February 17, Fenchow, Shansi: American Board Mission.  
 February 17, Nanling: American Church Mission.  
 February 25, Wuchow, Kwangsi: Standard-Vacuum Oil Co.; air machine-gunning of oil tanks.  
 February 28, Ichang, Hupeh: Evangelical Lutheran Mission.  
 March 8, Chenghsien (Chengchow), Honan: American Free Methodist Mission; residence, compound.  
 March 9, Tenghsien, Shantung: Presbyterian Mission, South; compound.  
 March 25, Lini (Ichowfu), Shantung: Presbyterian Mission, North.  
 April 3, Chenghsien (Chengchow), Honan: American Free Methodist Mission.  
 April 29, Wuchang, Hupeh: Sisters of Mt. St. Joseph of Cincinnati, Ohio.  
 May 3, Nanling, Anhwei: Christian and Missionary Alliance; chapel.  
 May 10-12, Amoy: Rosendo Dy Chauco; five buildings destroyed as result of land, sea, and air attack.  
 May 10, Tungshan (Hsueh), Kiangsu: Presbyterian Mission, South.  
 May 11, Tungshan (Hsueh), Kiangsu: Presbyterian Mission, South.  
 May 13, Chenghsien (Chengchow), Honan: (1) American Free Methodist Mission; (2) Southern Baptist Mission.  
 May 19, Chenghsien (Chengchow), Honan: American Free Methodist Mission.  
 May 19, Sutsien, Kiangsu: Presbyterian Mission, South.  
 May 21, Chumatien, Honan: Lutheran United Mission.  
 May 24, Haichow (Tunghai), Kiangsu: Presbyterian Mission, South.  
 May 24, Hwaiian, Kiangsu: Presbyterian Mission, South.  
 May 24, Shaho, Kiangsu: Presbyterian Mission, South.  
 May 28, Canton: Cumberland Presbyterian Mission.  
 May 28, Haichow (Tunghai), Kiangsu: Presbyterian Mission, South.  
 May 28, Canton: Standard-Vacuum Oil Co.; Wongsha Service Station.  
 June 4, Canton: Standard-Vacuum Oil Co.; Wongsha Service Station.  
 June 5, Tatung, Anhwei: Christian and Missionary Alliance.  
 June 6, Canton: Standard-Vacuum Oil Co.; Service Station No. 1, Chang Kan Road.  
 June 8, Canton: Lingnan University.  
 June 10, Canton: Presbyterian Mission; property in the Union Normal School compound.  
 June 15, Pingtu, Shantung: Southern Baptist Mission.  
 June 18, Foochow, Fukien: Christian Herald Industrial Mission.  
 June 21, Wuchow, Kwangsi: Standard-Vacuum Oil Co.; installation.  
 June 25, Tsimo, Shantung: Lutheran Mission.  
 July 1, Foochow, Fukien: American Board Missions.  
 July 1, Mamoi, Fukien: Dr. Charles L. Gillette; damage to residence.  
 July 1, Swatow: (1) Maryknoll Mission; (2) European Linen Importing Corporation; (3) Walter G. Berger; (4) Standard-Vacuum Oil Company.

- July 2, Swatow, Kwangtung: Standard-Vacuum Oil Company.
- July 2, Tsingyanghsien (Shatan), Anhwei: Christian and Missionary Alliance.
- July 8, Swatow: Standard-Vacuum Oil Company.
- July 12, Wuchang, Hupeh: (1) American Church Mission, St. Hilda's school, and other buildings; (2) Christian and Missionary Alliance.
- July 19, Wuchang, Hupeh: (1) American Church Mission, compound of Central China (Boone) College; (2) Sisters of Notre Dame de Namur.
- July 27, Yochow (Yoyang), Hunan: Reformed Church of America.
- August 8, Canton: Cumberland Presbyterian Mission.
- August 11, Tsingyanghsien (Shatan), Anhwei: Christian and Missionary Alliance.
- August 11, Wuchang Hupeh: American Church Mission; Central China (Boone) College and St. Hilda's School.
- August 12 Wuchang Hupeh: (1) American Church Mission; Convent of St. Anne sisters' residence; (2) Seventh Day Adventist Mission: clinic building rented from Chinese.
- August 13 Yanghsin Hupeh: American Franciscan Catholic Mission.
- August 24, Ichang, Hupeh: Evangelical Lutheran Mission.
- August 25, Hsio Tanyang, Anhwei: Methodist Episcopal Church.
- September 10, Hoihow, Hainan, Kwangtung: Standard-Vacuum Oil Company.
- September 17, Wuchow, Kwangsi: Southern Baptist Mission; Stout Memorial Hospital and school.
- September 27, Sinyang, Honan: Lutheran United Mission; Lena Dahl Middle School.
- October 3, Nanchang, Kiangsi: Standard-Vacuum Oil Company.
- October 5, Nanchang, Kiangsi: (1) Methodist Episcopal Church, Tehshan Church and other buildings; (2) Standard-Vacuum Oil Company.
- October 10, Changsha, Hunan: Standard-Vacuum Oil Company; air machine-gunning of S. S. *Mei Sin*.
- October 13, Kioshan, Honan: Lutheran United Mission.
- October 15, Hsuechang, Honan: Augustana Synod Mission.
- October 19, Changsha, Hunan: Standard-Vacuum Oil Co.; air machine gunning of S. S. *Mei Heng*.
- October 22, Sai Nam, Samshui District, Kwangtung: South China and Philippine Islands District Council (affiliated with the General Council of the Assemblies of God); Peniel Missionary Home.
- October 24, Tungpeh, Honan: Lutheran Brethren Mission.
- October 31, Nanchang, Kiangsi: Methodist Episcopal Church.
- November 3, Kingmen, Hupeh: Covenant Missionary Society.
- November 3, Ichang, Hupeh: Covenant Missionary Society.
- November 4, Kingmen, Hupeh: Covenant Missionary Society.
- November 5, Sutsien, Kiangsu: Southern Presbyterian Mission; hospital machine-gunned by planes.
- November 5, Sinyang, Honan: Standard-Vacuum Oil Co.
- November 6, Nanling: American Church Mission.
- November 10, Hsuechang, Honan: Standard-Vacuum Oil Co.
- November 13, Hengyang, Hunan: Presbyterian Mission (north).
- November 13, Taiping, Anhwei: Christian and Missionary Alliance.
- November 14, Taiping, Anhwei: Christian and Missionary Alliance.

- November 14, Nanling, Anhwei: Christian and Missionary Alliance.  
 November 18, Taiping, Anhwei: Christian and Missionary Alliance.  
 November 22, Sutsien, Kiangsu: Presbyterian Mission; air machine-gunning of hospital.  
 November 23, Hengyang, Hunan: Presbyterian Mission (North).  
 November 27, Yiyang, Hunan: Presbyterian Mission (North).  
 November, Kwangshan, Honan: Lutheran United Mission.  
 December 1, Yiyang, Hunan: Standard-Vacuum Oil Company.  
 December 7, Kweiping, Kwangsi: Christian and Missionary Alliance.  
 December 24, Kweilin, Kwangsi: Christian and Missionary Alliance.  
 December 29, Kweilin, Kwangsi: (1) Christian and Missionary Alliance; (2) Southern Baptist Mission.  
 December 29, Shiuchow, Kwangtung: Southern Baptist Mission.

1939

- January 10, Shasi, Hupeh: Evangelical Lutheran Mission.  
 January 12, Hengyang, Hunan: Presbyterian Mission (North.)  
 January 14, Shiuhing, Kwangtung: Evangel Mission.  
 January 15, Chungking: Methodist Episcopal Mission (North); Suteh Girls' School, residence.  
 January 18, Kuling, Kiangsi: American Church Mission.  
 January 23, Kuling, Kiangsi: American Church Mission.  
 February 4, Wanhsien, Szechwan: O. E. Vongehr, Federal Inc., U. S. A.; office building.  
 February 9, Pingliang, Kansu: Scandinavian Alliance Mission.  
 February 21, Kingmen, Hupeh: Covenant Missionary Society.  
 February 25, Loting, Kwangtung: Catholic Mission; air bombing and air machine-gunning.  
 March 7, Sian (Changan), Shensi: Scandinavian Alliance Mission.  
 March 8, Ichang, Hupeh: American Church Mission.  
 March 8, Kingmen, Hupeh: Covenant Missionary Society.  
 March 14, Ichang, Hupeh: American Church Mission.  
 March 17, Chenghsien (Chengchow), Honan: Southern Baptist Convention.  
 Between March 17 and 20, Siangyang (Fancheng), Hupeh: (1) Covenant Missionary Society; (2) Lutheran United Mission.  
 March 18, Kingliang (Kingchow), Hupeh: Covenant Missionary Society.  
 March 19, Chenghsien (Chengchow), Honan: Southern Baptist Convention.  
 March 23, Chenghsien (Chengchow), Honan: American Free Methodist Mission.  
 April 4, Changsha, Hunan: American Church Mission.  
 April 4, Yingtang, Kiangsi: Catholic Mission.  
 April 6, Hengyang, Hunan: Presbyterian Mission, North.  
 April 27, Kingmen, Hupeh: Covenant Missionary Society.  
 May 2, Tungpeh, Honan: Lutheran Brethren Mission.  
 May 4, Tangho, Honan: Lutheran Brethren Mission.  
 May 4, Chungking: (1) Methodist Episcopal Mission, compound and hospital at Daijiahang in downtown section; (2) Ab Vaught.  
 May 5, Swatow: Marshall Field & Co.  
 May 6, Laohokow, Hupeh: Standard-Vacuum Oil Co.

- May 11, Pingshih: Lutheran Brethren Mission.  
May 23, Shiuhing, Kwangtung: American Evangelical Mission.  
May 24, Laiyang, Shantung: Southern Baptist Mission.  
May 25, Putien, Fukien: Methodist Episcopal Mission.  
May 26, Chenghsien (Chengchow), Honan: Southern Baptist Mission.  
May 29, Shiuchow, Kwangtung: Southern Baptist Mission.  
May, Kienyangyi, Hupeh: Covenant Missionary Society.  
May, Shihpaitsen, Hupeh: Covenant Missionary Society.  
June 1, Chuanchow, Fukien: Seventh Day Adventist Mission.  
June 9, Chungking: Methodist Episcopal Mission.  
June 11, Chengtu, Szechwan: West China Union University (in which there is a large American interest).  
June 11, Sukiapa: Standard-Vacuum Oil Co.  
June 13, Changteh, Hunan: Seventh Day Adventist Mission.  
June 14, Foochow, Fukien: Fukien Christian University; machine-gunning of University gas plant.  
June 23, Changteh, Hunan: Presbyterian Mission.  
June 24, Changteh, Hunan: Presbyterian Mission.  
June 25, Kienow (Kienningfu), Fukien: American Dominican Mission.  
June 29, Foochow, Fukien: Union High School (affiliated with Methodist Episcopal Mission); machine-gunning and bombing resulting in complete destruction by burning.  
July 6, Shoahing, Chekiang: American Baptist Foreign Missionary Society.  
July 6, Chungking: Methodist Episcopal Mission; Lewis Memorial Institutional Church and other buildings.  
July 7, Chungking: Mrs. S. K. McCartney.  
July 22, Nanning, Kwangsi: Standard-Vacuum Oil Co.  
July 26, Kioshan, Honan: Lutheran United Mission.  
July 27, Wuchow, Kwangsi: Southern Baptist Mission; Stout Memorial Hospital and Girls' School.  
July 31, Kweilin, Kwangsi: Catholic Mission.  
August 1, Tungpeh, Honan: Lutheran Brethren Mission.  
August 4, Luichow, Kwangtung: Southern Baptist Mission.  
August 5, Shuanglin, Chekiang: Methodist Episcopal Church South.  
August 6, Ichang, Hupeh: Standard-Vacuum Oil Co.  
August 12, Changechow, Fukien: Reformed Church Mission.  
August 18, Yaunling, Hunan: (1) Reformed Church in America; (2) Evangelical Church; (3) Yale-in-China, Yali Union Middle School (in which there is a large American interest).  
August 18, Yeungkong, Kwangtung: Catholic Mission.  
August 30, Nanning Kwangsi: Seventh Day Adventist Mission.  
September 21, Yuanling, Hunan: Yale-in-China, Yali Union Middle School (in which there is a large American interest).  
September 22, Laichow, Shantung: Southern Baptist Mission.  
October 4, Liling, Hunan: Evangelical Church Mission.  
October 10, Siushan, Szechwan: Christian and Missionary Alliance Mission.  
October 15, Kwang-pou, Kwangtung: Baptist Mission.  
November 3, Yiyang, Hunan: Standard-Vacuum Oil Co., installation.

- November 28, Mi-ou (near Kityang), Kwangtung: Baptist Mission.  
 December 4, Koonshan, Kwangtung: Hebron Mission.  
 December 7, Nanling: American Church Mission.  
 December 7, Kochow, Kwantung: Catholic Mission.  
 December 9, Kityang, Kwangtung: Baptist Mission.  
 December 20, Shasi, Hupeh: Standard-Vacuum Oil Co.  
 December 30, Ichang, Hupeh: (1) American Church Mission;  
 (2) Evangelical Luthern Mission.

## 1940

- February 18, Nanling: American Church Mission.  
 February 22, Nanling: American Church Mission.  
 February 23, Kingtehchen (Fowliang), Kiangsi: American Church Mission.  
 February 24, Kingtehchen (Fowliang), Kiangsi: American Church Mission.  
 March 10, Taiping, Anhwei: Christian and Missionary Alliance.  
 March 14, Siulam: United Brethren Mission.  
 April 12, Chihkiang, Hunan: Catholic Mission.  
 April 13, Linchwan, Kiangsi: Catholic Mission.  
 June 8, Shasi, Hupeh: Catholic Mission.  
 June 12, Chungking: (1) American Bible Society; (2) Chungking Ice Company; (3) Methodist Episcopal Mission, Methodist Union Hospital, Church, Lewis Memorial Institutional Church, Sutch Girls' School, Yiu Teh Girls' School; (4) Seventh Day Adventist Mission.  
 June 16, Chungking: Methodist Episcopal Mission; Sutch Girls' School.  
 June 24, Chungking: (1) Methodist Episcopal Mission, Lewis Memorial Institutional Church; (2) Seventh Day Adventist Mission.  
 June 26, Chungking: American Bible Society.  
 June 27, Chungking: Seventh Day Adventist Mission.  
 June 28, Chungking: (1) American Church Mission, Boone Library School; (2) Methodist Episcopal Mission.  
 July 24, Chengtu, Szechwan: Baptist Mission.  
 August 9, Chungking: Methodist Episcopal Mission, Chungking High School.  
 August 10, Hengyang, Hunan: Presbyterian Mission; hospital.  
 August 16, Hengyang, Hunan: Presbyterian Mission; hospital, four buildings burned by incendiary bomb.  
 August 19, Chungking: Methodist Episcopal Mission; Lewis Memorial Institutional Church destroyed by incendiary bomb.  
 August 20, Chungking: (1) Chungking Ice Company, no. 3 ice plant and four two-story shop buildings; (2) J. H. Schwer (owner of Chungking Ice Company): destruction of residence which he leased and occupied.  
 August 20, Shiuchow, Kwangtung: Southern Baptist Mission.  
 August 24, Kweilin, Kwangsi: Southern Baptist Mission.  
 August 29, Shuchow (Shiukuan), Kwangtung: Southern Baptist Mission.  
 September 4, Yuanling, Hunan: Reformed Church Mission.  
 September 4, Chenki, Hunan: (1) Catholic Mission; (2) Evangelical Church Mission.  
 September 4, Ch hkiang, (Yuanchow) Hunan: Catholic Mission.

- September 7, Nanchang, Hupeh: Covenant Missionary Society.  
 September 9, Luki, Hunan: (1) Catholic Mission (2) Reformed Church in the United States.  
 September 12, Chungking: Methodist Episcopal Mission; Daijiahang property seriously endangered and minor damage caused by demolition and incendiary bombs.  
 September 13, Chungking: Methodist Episcopal Mission; high school and Suteh Girls' School.  
 September 30, Kunming: Standard-Vacuum Oil Company; property endangered by bombs dropped nearby.  
 October 13, Kunming: (1) American Consulate damaged slightly from concussion; (2) Colonel Chennault, personal effects destroyed as a consequence of serious damage to his residence.  
 October 16, Chungking: Methodist Episcopal Mission; hospital.  
 October 17, Kunming: Residence of American manager of Standard-Vacuum Oil Co., damaged.  
 October 25, Chungking: (1) American Embassy endangered by bombs; (2) U. S. S. *Tutuila* endangered by bombs; (3) Chungking Ice Company.  
 November 15, Poyang, Kiangsi: Catholic Mission.  
 November, Loshan, Honan: Lutheran United Mission.  
 November, Sihsien, Honan: Lutheran United Mission.  
 November, Huangchuan, Honan: Lutheran United Mission.  
 December 25, Changteh, Hunan: Christian and Missionary Alliance.  
 December 31, Kityang, Kwangtung: Baptist Mission.

## 1941

- January 10, Poyang, Kiangsi: Catholic Mission.  
 January 11, Tun Cheng (Yencheng) Kiangsu: Standard-Vacuum Oil Co.  
 January 11, Tungtai, Kiangsu: Standard-Vacuum Oil Co.; installation.  
 January 14, Chungking: Standard-Vacuum Oil Co.; installation; air machine-gunning.  
 January 26, Tangho, Honan: Lutheran Brethren Mission.  
 January 28, Yencheng, Honan: Seventh Day Adventists Mission.  
 January 29, Kunming: American Consulate; endangered and minor damage suffered from concussion and bomb fragments.  
 February, Pingshih, Honan: Lutheran Brethren Mission.  
 March 3, Iyang, Kiangsu: Catholic Mission.  
 April 8, Kunming, Yunnan: (1) Assemblies of God Mission; (2) China Inland Mission (British) building where seven Americans lived badly damaged; (3) S. A. McGeary, clerk in American Consulate, residence.  
 April 9, Changsha, Hunan: Standard-Vacuum Oil Co., installation; two hand grenades dropped on property.  
 April 19, Futsing, Fukien: Methodist Mission; Lucie F. Harrison Hospital.  
 April 19, Kingtehchen (Fowliang) Kiangsi: American Church Mission.  
 April 20, Wankow, Fukien: Methodist Episcopal Mission.

April 20, Foochow, Fukien: (1) American Consulate endangered by bombs falling within 250 yards of building; (2) Methodist Episcopal Mission.

April 20 or 21, Kuliang: Henry V. Lacy; cottage.

April 23, Kunming: R. D. Arnold; residence.

April 29, Kunming: (1) American Consulate; (2) House of clerk in American Consulate.

April 30, Peipurwei, Fukien: Methodist Episcopal Mission.

May 3, Chungking: Standard-Vacuum Oil Co.; installation.

May 7, Yuanling, Hunan: (1) Catholic Mission; (2) Reformed Church Mission.

May 7, Shangchow (Chenghsien) Honan: Free Methodist Mission.

May 8, Kunming: American Consulate: bomb fragments fall in Consulate.

May 9, Chungking: (1) American Church Mission: Boone Library School; (2) Methodist Episcopal Mission: Chungking High School.

May 10, Chungking: Methodist Episcopal Mission.

May 11, Kuhsingchen (Kujungchen) Honan: Free Methodist Mission.

May 12, Kunming: (1) American Consulate; fragments of bombs scattered in compound, and window of residence broken by fragments; (2) China Inland Mission (British), residence of E. L. Crapuchettes (American); (3) Residence of clerk McGeary of the American Consulate.

May 16, Chungking: Chungking Ice Company (American owned); No. 1 Ice Plant.

May 29, Kutien, Fukien: American Methodist Mission, Wiley General Hospital, Methodist Boys Junior Middle School.

June 1, Chungking: Methodist Episcopal Mission.

June 2, Chungking: Chungking Ice Company (American owned).

June 5, Chungking: (1) American Embassy Chancery endangered by one or more bombs falling about 400 yards behind Chancery; (2) Residence occupied by members of Embassy's staff damaged.

June 14, Chungking: Chungking Ice Company (American owned); No. 3 Ice Plant.

June 15, Chungking: (1) American Embassy Chancery damaged; (2) U. S. S. *Tutuila* endangered by bombs falling within from 100 to 300 yards; (3) offices of the Assistant Military Attaché, damaged; (4) Ambassador's residence, damaged; (5) Standard-Vacuum Oil Company, Office building damaged.

June 23, Sungpan, Szechwan: Christian and Missionary Alliance.

June 24, Koehow, Kwangtung: Catholic Mission.

June 25, Koehow, Kwangtung: Catholic Mission.

June 29, Chungking: (1) American Embassy, staff residence; (2) Methodist Episcopal Mission, Methodist Union Hospital and residence.

July 7, Chungking: (1) American Church Mission, Boone Library School; (2) Methodist Episcopal Mission.

July 30, Chungking: (1) American Embassy endangered by bombs dropped about 400 yards east of the Embassy; (2) U. S. S. *Tutuila*, damaged; (3) Seventh Day Adventists Mission, sanitarium; (4) Standard-Vacuum Oil Company, installation at Sukiapa.

August 4, Hengyang, Hunan: Presbyterian Mission.

August 8, Li-hsien, Hunan: Christian and Missionary Alliance.

- August 10, Chungking: Methodist Episcopal Mission.  
 August 13, Chungking: Seventh Day Adventist Mission.  
 August 15, Kienow (Kienningfu), Fukien: American Dominican Mission.  
 August 18, Amoy: Reformed Church Mission, hospital (British property with American financial interest).  
 August 22, Chungking: Seventh Day Adventist Mission.  
 August 23, Kiating, Szechuan: Baptist Foreign Missions.  
 August 24, Hankong, Fukien: Methodist Mission.  
 August 24, Kutien, Fukien: Methodist Mission.  
 August 27, Lungtien, Fukien: Methodist Mission.  
 August 30, Sinkiao, Fukien: Methodist Mission.  
 August 31, Kutien, Fukien: Methodist Mission.  
 August 31, Hunglu, Fukien: Methodist Mission.  
 September 3, Foochow, Fukien: Union High School (affiliated with Methodist Episcopal Mission), air machine-gunning.  
 September 11, Laohokow, Hupeh: Standard-Vacuum Oil Company.  
 September 28, Shiuchow, Kwangtung: Southern Baptist Mission.  
 October 16, Lungnan, Kiangsi: Catholic Mission.

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 ANNEX 8

AMERICAN NATIONALS WHO HAVE BEEN REPORTED TO HAVE BEEN ASSAULTED, ARBITRARILY DETAINED, SUBJECTED TO INDIGNITIES, ET CETERA, SINCE JULY 7, 1937, by JAPANESE AUTHORITIES OR AGENTS<sup>1</sup>

## A. IN CHINA

Captain Samuel B. Griffith, officer, U. S. M. C., attached to Embassy for language study; Tangku, July 25, 1937: While walking on the French dock with two foreign pressmen, Captain Griffith was surrounded by armed Japanese, pushed and pulled about, taken to Japanese military headquarters, where he was detained for hour.

Haldore Hanson, of the Associated Press; near Peiping, September 28–October 12, 1937: Mr. Hanson was taken into custody September 28, 1937, by Japanese military between Pacting and Peiping and detained until October 12, 1937.

Five American nationals; Shanghai, October 24, 1937. While horseback riding in a party of ten in the British-guarded sector of Shanghai, five American nationals were fired upon by machine gun from a plane said to have been Japanese.

Mrs. N. E. Margetts, widow of Colonel Nelson E. Margetts, and Esther Hoffman, employee of office of American military attaché; Peiping, January 10, 1938: Annoyed by two intoxicated Japanese soldiers.

John M. Allison, Third Secretary of Embassy, and Charles Riggs; Nanking, January 26, 1938: While investigating a case of irregular entry of American property and the forcible removal of a Chinese woman refugee therefrom, Mr. Ellison and Mr. Riggs were slapped by a Japanese soldier as they started to enter a compound used as a

<sup>1</sup> This list does not purport to be a complete list of cases reported. It should also be noted that many incidents occur, particularly involving missionaries, which are not reported.

Japanese barracks. Mr. Riggs was further attacked and had his collar torn.

Dr. Fred P. Manget; Wuhing (Huchow), Chekiang, January 28-February 1, 1938, May 1939: Dr. Manget was placed under virtual arrest from January 28 to February 1, 1938, at Wuhing (Huchow), Chekiang, to which place he had traveled under pass from Japanese authorities to inspect property of Methodist Episcopal Church there. He was brought under escort to Shanghai. He experienced similar treatment when he again returned to Huchow on May 7, 1938.

John Benedict, 13 years old; Peiping, January 29, 1938: While attempting to retrieve bicycle taken from him by a Japanese, John Benedict was assaulted by a Japanese civilian.

James E. Walsh; Shanghai, February 16, 1938: While transporting machinery from a printing plant under a pass approved by the Japanese Naval Landing Party, Mr. Walsh was slapped and mistreated by Japanese interpreter of Japanese Naval Landing Party after being stopped.

Grace Brady, connected with St. Johns University; Shanghai, March 3, 1938: Miss Brady was stopped by a Japanese sentry who grabbed at her handbag and struck her a sharp blow on the side of head.

Mrs. Stephen Paul Dykstra, missionary; Tsingtao, March 15, 1938: While walking on a Tsingtao street, Mrs. Dykstra was struck twice on the forearm by a Japanese petty officer, apparently because she had failed to bow to him.

Mrs. Henry Barton; Tsingtao, March 24, 1938: While walking on a Tsingtao street, Mrs. Barton was stopped and ostensibly searched by a Japanese sentry.

Mrs. Victoria Griffith; Shanghai, March 25, 1938: While standing in line at the office of the Japanese Naval Landing Party, Mrs. Griffith was prodded in back and her hat was snatched from her head, apparently because she had failed to remove her hat in the presence of a Japanese naval officer.

V. F. Meisling, news photographer for North China Daily News; Shanghai, March 28, 1938: When about to take picture of New Asia Hotel entrance, Mr. Meisling was struck by a member of the Japanese military police, and later subjected to intimidation at Japanese military police headquarters in an effort to force him to sign statement. Mr. Meisling had a Japanese press pass allowing photographing.

John P. Anderson, Seventh Day Adventist Mission; between Canton and Waichow, March 29, 1938: While driving in automobile, Mr. Anderson was fired upon by machine guns from Japanese planes.

Dr. A. L. Carson, Presbyterian Missionary of Cheeloo University, Tsinan; Choutsun, April 13, 1938: Dr. Carson was forced by Japanese soldiers to leave a train at Choutsun, and his baggage was thrown off. He was held three hours in the railroad station guardhouse with hands tied behind his back.

Elwyn H. Gibbon; Yokohama, Japan, April 23-28, 1938: Mr. Gibbon was removed from the S. S. *Empress of Asia* by officers of the Japanese General Staff and police officials at Yokohama on April 23 and was detained until April 28. His removal from the vessel was alleged to have followed his refusal to answer questions about the Chinese air forces with which he was said to have been connected formerly.

Mrs. Thomas B. Dunn, wife of American doctor resident in Shanghai; Shanghai, May 5, 1938: While riding in automobile, Mrs. Dunn was stopped by Japanese sentries who attempted to intimidate her Chinese chauffeur and who thrust bayonets into the auto.

Vincoe Mushrush, of United Christian Missionary Society; Nantungchow, Kiangsu, May 1938: Searched by Japanese sentries.

Vice Consul John Davies; Tsingtao, May 19, 1938: While en route from Tientsin to Shanghai carrying official mail, Mr. Davies' baggage was inspected by Chinese customs officers of Japanese nationality, despite his official status and the fact that he was a through passenger.

Albert H. Smit; Jukao, Kiangsu, May 25, 1938: Pushed by Japanese soldiers with butt of gun.

Dr. J. C. Thomson; Nanking, June 15, 1938: Searched and slapped by Japanese sentry.

Mrs. T. H. Massie, wife of Lieutenant Massie, of U. S. S. *Tulsa*; Tsingtao, June 20, 1938: Slapped by Japanese sentry.

Dr. L. S. Morgan; Wuhu, Anhwei, July 25, 1938: Forcefully removed from premises of Wuhu General Hospital and compelled by armed Japanese to go to military headquarters.

Harry Edward Clark, chief machinist's mate, U. S. Fleet Naval Reserve, operating small bar at Chefoo, and Albert Russell Wilkins, manager of bar in Astor House Hotel, Chefoo; Chefoo, July 26, 1938: Mr. Clark was struck in the jaw and Mr. Wilkins was slapped by the leader of an armed Japanese patrol.

Dr. Claude M. Lee; Wusih, Kiangsu, August 3, 1938: Dr. Lee, who had and showed a Japanese military pass, was offensively treated at city gate by Japanese sentry who attempted to force removal of hat.

Grace Darling, of the Northern Presbyterian Mission; Nantao, August 10, 14, 1938: Subjected to offensive treatment by Japanese sentries on two occasions.

Reverend Charles W. Worth; Shanghai, September 3, 1938: While trying to purchase a railroad ticket, Rev. Charles Worth was roughly handled by a Japanese in uniform.

A. B. Cox, employee of Texas Oil Company; Shanghai, September 16, 1938: Reported that his Chinese chauffeur was slapped by a Japanese sentry while Mr. and Mrs. Cox were riding in the automobile.

Search of American nationals at Hsichih Gate; Peiping, Sept. 18 and 19, 1938: Search of American nationals carried on with intimidation and rudeness by Japanese military and Chinese in uniform.

Rev. H. B. Pickens; Wuhu, Anhwei, September 24, 1938: Struck at by a Japanese sentry who attempted to cause him to remove hat.

Elizabeth Dunbar, writer; Peiping, October 6, 1938: Knocked down by Japanese civilian and kicked by Japanese in military uniform when she attempted to prevent group of Japanese civilians and military from mistreating a Chinese peddler.

Eleanor Shields, clerk, American Embassy; Peiping, October 22, 1938: Miss Shields' rickshaw was knocked into, at first apparently accidentally and then deliberately, by an automobile with a Japanese chauffeur and a Japanese passenger, both in the uniform of the Special Service Section of the Japanese Army. Later, inside the Legation Quarter, the same automobile crowded the rickshaw to the curb and the Japanese chauffeur struck the rickshaw puller and broke the lamp of the rickshaw.

Dr. Logan Roots, superintendent St. Michael's Church General Hospital, of the American Church Mission; Wuchang, Hupeh, November 13, 1938: When he attempted to dissuade Japanese soldiers, who had entered the compound in order to remove Chinese refugees resident there to a refugee area and had terrified the refugees, one of the Japanese soldiers sprayed carbolic-phenol disinfectant in Dr. Root's face.

Loretta Crawford of American Presbyterian Mission (North); Soochow, Kiangau, December 26, 1938: Forced by Japanese sentries into guardhouse, pushed about roughly and searched.

Fanny P. Brown; Peiping, December 26, 1938: Molested and threatened by intoxicated Japanese soldier who pointed sword at her throat while she was riding in rickshaw.

Emil S. Fischer; Tientsin, December 31, 1938: Detained by Japanese gendarmes at boundary of British concession because of criticism he admittedly made of treatment by gendarmes of French officer accompanying him.

George Jung (Jung Gork Pong); Canton, January 20 to February 4, 1939: Arrested January 20, 1939, after altercation with Japanese soldiers in cafe and held until February 4.

Nettie D. Junkin of American Presbyterian Mission; Yih sien, Shantung, January 27, 1939: Pushed about by Japanese soldiers who tried to snatch her purse and who struck her with gun.

Mr. and Mrs. J. E. Frick of Seventh Day Adventist Mission; Kiukiang, Kiangsi, February 11, 1939: Threatened with loaded rifle by intoxicated Japanese naval sentry.

Dr. William W. Cadbury; Canton, February 14, 1939: Slapped in the face and struck on chest with the butt of a gun by a Japanese sentry.

Louise Avett, of Methodist Episcopal Mission (South); Huchow, Chekiang, February 15, 1939: While walking on street, Miss Avett was struck on the back of the head by a Japanese soldier or soldiers who were passing in truck.

J. E. Jackson, of American Southern Baptist Mission; Wusih, Kiangsu, February 26, 1939: Struck on head by Japanese sentry who apparently wished him to remove hat.

Anna W. Ericsson, of Swedish-American Mission on Honan Island; Canton, April 4, 1939: Slapped and pulled by Japanese traffic director and Japanese soldier, apparently because of alleged violation of Japanese regulation.

Yee Yot Wing (Y. W. Frank), American national of Chinese descent; Tsinan, April 7, 1939: Stopped by Japanese sentry when he failed to dismount from motorcycle upon approaching sentry post. Altho he exhibited his American passport he was slapped by the sentry and detained 45 minutes.

Reverend Boniface Pfeilschifter and Sister Fridolin, of Franciscan Order; Tientsin, June 16, 1939: Refused permission to land on arrival at Tientsin from Dairen by Japanese authorities or Japanese sponsored agents and were required to return to Dairen, reportedly because of difficulties with regard to visas. Through the efforts of the American Consulate at Dairen they again sailed for Tientsin and were permitted to land.

Robert D. Casey, American seaman, S. S. *Jefferson Myers*; Tientsin, June 23-24, 1939: After having been hospitalized in Dairen and sent to Tientsin to join S. S. *Michigan*, Mr. Casey was arrested on arrival

at Tientsin on June 23 by Japanese authorities, ostensibly because he had no passport, and detained in jail for 24 hours.

Sergeant Sullivan, U. S. M. C., in charge of rail and water transportation; Tientsin, June 26, 1939: While in uniform on a Marine Corps truck Sergeant Sullivan was refused entry into the Japanese concession without passing through searching sheds and submitting to search. He returned to the barracks without submitting to search.

Hannah Stocks, resident of Wuhu, and Winston Haskell, 13 years old, son of W. W. Haskell of Wuhu; Wuhu Anhwei: Stopped by a Japanese sentry who slapped them, ignoring the Japanese pass which they had produced.

Ralph C. Scoville of China Inland Mission; Hwo Hsien, Shantung, July 6, 1939: Mr. and Mrs. Scoville were forced to leave the mission and Mr. Scoville was examined for three hours at Japanese military headquarters to ascertain if he was affiliated with an anti-Japanese society.

Charles W. Worth and Kepler Van Evera, missionaries; Hangechow, Chekiang, July 12, 1939: Assaulted by Japanese consular police officer at railroad station. Mr. Worth was struck hard blow on face and Van Evera was grabbed by the throat and shaken.

A. E. Smithberger and Father Daniel J. Scannell (known as Father Blaise), of Catholic University, Peiping; Wenchuan (near Peiping) July 22, 1939: While motoring from Peiping to Peinbo, Father Blaise, on entering the compound of detachment of Japanese soldiers, was struck in the face by a Japanese soldier and threatened with gun. Smithberger was also struck on face.

R. A. Baker, acting pay clerk, U. S. S. *Guam* (not in uniform): Hankow, July 23, 1939: Struck by a Japanese naval sentry, with resultant minor injuries to face and arms, and was detained at Japanese naval headquarters several hours.

Mrs. Harry Wilhoit; Tsingtao, July 30, 1939: Searched on board a Japanese ship bound for Shanghai by a Japanese woman (regularly employed by the Chinese Maritime Customs as a searcher) who found and retained \$242 Chinese currency. Mrs. Wilhoit was then allowed to proceed.

Mrs. Frances M. Richard, teacher, and in small canning business; Tientsin, August 14, 1939: Slapped by a Japanese sentry when passing through barrier to French concession.

Forcible inoculations under insanitary conditions; Nanking, August 15, 1939: Two American nationals were compelled by Japanese sentries at railroad station to undergo cholera inoculations under insanitary conditions. At least one of the Americans had and showed valid certificate of vaccination less than week old.

J. L. Gressitt; Canton, August 20, 1939: While returning to Lingnan University by bicycle Mr. Gressitt was threatened by a Japanese sentry with a rifle, apparently because he had passed the sentry without bowing.

Dr. Wong Wan Tin, holder of American passport issued at Honolulu; doctor from Peiping Union Medical College; Peiping, August 21-23, 1939: Was arrested on August 21, 1939, by plain-clothes men, allegedly Chinese, when he reportedly insisted upon entering a theater after being warned not to do so. He was detained until August 23.

The searching of Consul Roberts, Vice Consul Service and other Americans; Chefoo, September 2-12, 1939: Despite identification by

a certificate issued by the Japanese Consul, American Consul Quincy F. Roberts was forcibly searched for Chinese national currency by Chinese police with the support of two armed Japanese sailors on September 2 as he left the Hong Kong and Shanghai Banking Corporation. Vice Consul Richard M. Service was forcibly searched by a Chinese plain-clothes policeman picketing the Hong Kong and Shanghai Banking Corporation at Chefoo on September 12 after he had shown his official passport. From September 2-9 at least fifteen other Americans were reported to have been searched.

Father Anthony James Maloney, American Catholic priest; Peiping, October 1, 1939: Was pushed and ordered about by a Japanese soldier (apparently intoxicated) who ransacked his rooms and took certain of Father Maloney's belongings.

Mrs. A. A. McFayden, wife of a clerk in the American Consulate General at Shanghai; Shanghai, October 17, 1939: Was slapped by a Japanese gendarme during the inspection at the North Station at Shanghai of a basket of dishes which she had carried on the train from Soochow.

Rev. Ervine Swift of the American Church Mission; Wuchang, Hupeh, November 13, 1939: After showing his military pass to a Japanese sentry, Mr. Swift was slapped on the cheek with the pass by the sentry.

Mrs. William Mayer, wife of American military attaché; Peiping, November 21, 1939: While riding in an official motorear of the office of the military attaché, which had an American flag and a tag marked in Chinese "American Embassy," Mrs. Mayer's car was forced to the curb by a Japanese official car driven by a Japanese in military uniform. The Japanese chauffeur opened the door of Mrs. Mayer's car, made threatening gestures and screamed "Baca." The chauffeur had apparently been annoyed because Mrs. Mayer's car had stopped for traffic and thus delayed the Japanese car.

Incident of Japanese Barrier to French Concession; Tientsin, November 26, 1939: A Japanese sentry threw a basin of hot water over two Americans waiting in line at the Japanese Barrier to the French Concession at Tientsin on November 26.

W. H. Russell, civilian employee of the U. S. Navy Purchasing Office at Shanghai; Shanghai, December 1, 1939: Was struck and involved in a rough-and-tumble fight with a Formosan attached to the Japanese gendarmérie who attempted to interfere with the unloading of supplies from a lighter used by the United States Navy.

John B. Penniston; Shanghai, December 3, 1939: While walking with his Chinese wife and child, Mr. Penniston was threatened by Chinese police of the Special Municipality of Shanghai who pushed him with their rifles and slapped his wife.

M. A. Williams; on train between Shanghai and Soochow, December 11, 1939: While traveling by train from Shanghai to Soochow Mr. Williams was cuffed on the ear by a Japanese railway attendant, apparently because he had occupied inadvertently a seat reserved for the Japanese military.

Frances Donaldson; Shanghai, December 20, 1939: While crossing Szechwan Road Bridge over Soochow Creek Miss Donaldson was struck on the chest and almost knocked down by a Japanese sentry without warning or challenge, presumably because she was walking on what the Japanese considered to be the wrong side of the bridge.

Eric Katz of the Texas Company; Nanking, December 26, 1939: While horseback riding Mr. Katz and other members of the party were fired upon by Japanese soldiers at a distance of about 300 yards.

American nationals annoyed by sentries; Tsinan, December 1939–January 1940: Americans and other Occidentals were subjected to petty annoyances and inconveniences and were threatened or searched by Japanese sentries on duty on the road to Cheeloo University.

John J. Waldron; Tientsin, January 24, 1940: At the Asahi Road Barrier, a Japanese sentry with a rifle butt knocked from Mr. Waldron's hand a bag of oranges which had been purchased in the Japanese Concession. In the altercation which followed, the sentry attempted to bayonet Mr. Waldron.

A. K. Wiens, Krimmer Mennonite Brethren Mission: Chotzeshan, Suiyuan, February 19–20, 1940: Two Japanese officers, apparently intoxicated, entered the Mission Residence, pushed Mr. Wiens about the premises, and prodded him with a sheathed sword.

Mrs. Rolland Rice, Miss Rosa Land Rinker, Associated with the Oriental Missionary Society; Peiping, February 26, 1940: Were molested by a Japanese soldier who robbed one of them of \$5.00 Federal Reserve currency.

F. M. Larson, of the Seventh Day Adventist Mission at Mukden; Tsinan, March 12, 1940: Was without provocation twice slapped in the face by a Japanese soldier and dragged half the length of a railway car.

Harold Montague Walden, American employee of the Tobacco Development Company (British); Tsingtao, March 22, 1940: Was struck in the face and otherwise mistreated by a Japanese soldier in charge of a military truck who entered the tobacco company's compound. The Japanese was apparently annoyed by traffic congestion in front of the compound.

E. W. Raetz; Canton, April 6, 1940: As he was driving a truck belonging to the Canton International Red Cross along the Bund in Canton a Japanese military truck loaded with Chinese coolies pulled alongside and the driver, a Japanese in uniform, jumped out and struck Mr. Raetz in the face. Another Japanese informed Mr. Raetz that his truck had dented the fender of the military truck in passing it but Mr. Raetz was not aware of having collided with the truck.

Mrs. R. P. Richardson and Mrs. L. H. Lancaster; Kowan, Kiangsu, June 14, 1940: While passing through Kowan with valid Japanese military passes Mrs. Richardson and Mrs. Lancaster suffered gross personal indignities from a Japanese sentry.

Mrs. A. G. Muldoon; Tientsin, June 16, 1940: Mrs. Muldoon, while attempting to board a vessel at the Dairen Kisen Kaisha wharf, was assaulted by a Japanese inspector in the employ of the Chinese Maritime Customs at Tientsin. She suffered a perforated ear drum and a hemorrhage of the ear.

Earle J. Woodberry, of the Presbyterian Mission; Willard Booth, age 14 and Frederick Woodberry, age 10; Chefoo, July 4, 1940: While the two children were celebrating with firecrackers in the grounds of the Presbyterian Mission two armed Japanese in uniform with fixed bayonets entered the grounds, struck Mr. Woodberry once with a rifle butt and then slapped him twice. They also slapped the two children and entered the mission home but left the premises when a telephone call was made to the American Consulate.

Ruby Satterfield, American missionary; Soochow, Kiangsu, July 19, 1940: Was searched in a humiliating and insulting manner by a Japanese sentry.

A. P. Argelander, Principal of the Tung Chow American School; Peitaiho Junction, July 17, 1940: After boarding a train at Peitaiho Junction en route to Peiping his baggage was opened by a uniformed Japanese and Mr. Argelander was taken into a private compartment and searched for more than two hours.

Hallett Abend, New York Times correspondent; Shanghai, July 19, 1940: Two masked Japanese in civilian clothes entered Mr. Abend's apartment, struck and otherwise manhandled him and took away his nearly completed book in manuscript on General Frederick Townsend Ward.

Freda Girsberger of the American Friends Mission at Luho near Nanking; Hsiakwan, August 27, 1940: Was slapped without warning or provocation by a Japanese sentry at the bridge near the Shanghai-Nanking railway station.

Detention of American sailor; Shanghai, September 28, 1940: An American sailor in uniform was seized in the International Settlement by Japanese gendarmes, was maltreated and questioned concerning the movements of American vessels. The sailor, who was intoxicated, had reportedly entered a building in which the Japanese gendarmes occupied quarters in the International Settlement, where the Japanese gendarmes had no jurisdiction at the time.

B. T. Bard, Superintendent of the North China District Council, Assemblies of God; Putsih (near Chowtsun) Shantung, October 27, 1940: While accompanying an American national to the railroad station, Mr. Bard was struck in the face three times and tripped and pushed to the ground by a Japanese soldier.

Rex Ray, of the Southern Baptist Mission; Wuchow, Kongmoon District, Kwangtung, October 28–November 4, 1940: Was detained by Japanese gendarmes at an inn from October 28 to November 4, reportedly on the ground that he had passed from unoccupied to occupied territory without a permit from the Japanese military. Mr. Ray was enroute from Wuchow to Hong Kong to arrange for the evacuation of his family who had been living in Hong Kong.

Wesley W. Lawton, Jr., American missionary; Kaifeng, Honan, November 13, 1940: Was slapped without provocation by a Japanese sentry at the city gate apparently because of Lawton's failure to remove his hat.

Incident involving five American marines; Peiping, December 30, 1940: Five American marines were subjected to violence and detained by Japanese gendarmes until released on December 31 some eighteen hours after their seizure and after three requests from the American authorities concerned. The marines had been seized by the Japanese after four American marines had disarmed an intoxicated Japanese civilian who had trained a pistol on an American citizen who was entering a cafe in Peiping.

Merrill S. Ady, of the American Presbyterian Mission; Between Yeungkon, Kwangtung, and Hong Kong, January 17–25, 1941: The Portuguese lighter upon which Mr. Ady was crossing from Yeung-kong to Hong Kong was halted by a Japanese boarding party and Mr. Ady was detained by the Japanese naval personnel from January 17 to 25. The lighter was brought to Whampoa on January 22.

Mr. Ady's request that the American consular authorities at Canton be informed was disregarded.

George Doyal, Missionary; Between Macao and Hong Kong, January 20, 1941: A Japanese naval launch fired upon Mr. Doyal's sailboat, rammed and boarded it and questioned Mr. Doyal for two hours.

Johannes G. Vos; Shanhaikuan, February 1, 1941: While traveling by train from Mukden to Peiping, Mr. Vos was subjected to humiliating treatment by an intoxicated passport officer, was forced without apparent reason to leave the train and subjected to what appeared to be entirely unwarranted detention and examination.

Rev. Joseph V. Henkels, Associated with the Catholic Mission at Siuwu; Sinsiang, Honan, March 18, 1941: While going by bicycle from Siuwu to Taiwang Father Henkels was struck with a club and a stone by a Japanese soldier who demanded his bicycle.

Father John H. Joyce; Sancian Island, Kwangtung, March 22, 1941: Was threatened by a Japanese soldier with a gun who later fired a shot at Father Joyce. A Japanese officer who was present did not interfere.

Maryknoll Priest; Yeungkong, Kwangtung, March 1941: During several entrances of the Mission property by a Japanese soldier the priest in charge was struck in the jaw. The soldiers also attempted to force a nun to disrobe alleging that she had a gun hidden in her clothing.

Maryknoll Mission Priest; Toishan City, Kwangtung, first week of March 1941: During several entrances by Japanese troops into the Mission buildings the priest in charge was struck on the head, was forced to open his safe and hand over his money and was forced to sign a paper saying that he would make no protest against the acts of the soldiers in the Mission.

Dr. and Mrs. Robert E. Brown; Suifu (above Chungking) May 20, 1941: The China National Aviation Corporation plane with Pilot Wood (American) and American passengers Dr. and Mrs. Brown while en route from Chungking to Chengtu was bombed by Japanese planes when it took refuge on an air field. No one was injured.

American Consul; Foochow, Fukien, September 3, 1941: The automobile in which the American Consul and another American citizen were riding in the streets of Foochow was attacked at about noon by a low-flying Japanese plane which fired about twenty machine-gun bullets into the automobile. Although the automobile was marked with American flags it is probable that the nationality of the car was not known to the occupants of the plane.

Mrs. Johanna Kramer; Peiping, September 18, 1941: Was taken from the Peiping railway station to Japanese gendarmerie headquarters and questioned for nearly nine hours, about her American passport, her desire to go to the United States although her parents were in Germany, etc. Her requests to inform friends or the American Embassy of her detention were ignored.

Major Frederick P. Munson, Assistant Military Attaché of the American Embassy, Peiping; Tsinan, October 20, 1941; While en route by train to Peiping from Tsingtao, Major Munson was required by the Russian passport inspectors to leave the train at Tsinan. Major Munson carried a Japanese travel permit in addition to his passport which showed his status.

Anna Giessenlein (Sister Turibia), connected with the St. Joseph School at Tsingtao; Tsingtao, October 23, 1941: After a traffic incident, caused by a Japanese national's walking into the side of an automobile in which Sister Turibia and a Chinese sister were riding, the two sisters were struck by a Japanese national and subjected to ridicule by a crowd of Japanese.

#### B. IN FRENCH INDOCHINA

Robert W. Rinden, Vice Consul at Hanoi, and Melville Jacoby, United Press correspondent; Haiphong, French Indochina, November 21, 1940: Vice Consul Rinden, acting under instructions from the American Consul at Hanoi and accompanied by Mr. Jacoby, drove by a warehouse at Haiphong where Japanese soldiers were reported to have encamped under an American flag and Mr. Jacoby (who was stated to have a photographer's pass issued by the appropriate authorities) took pictures of the property. Japanese soldiers subsequently pursued and stopped the car in which the Vice Consul and Mr. Jacoby were riding and attempted to force them out of the car and to seize the camera. Despite the Vice Consul's identification of himself to an English-speaking Japanese officer, the Vice Consul and Mr. Rinden were taken into Haiphong under a guard of Japanese soldiers who prevented them from entering the Hotel Europe there by forming a semicircle about them on the sidewalk and training rifles upon them. After the arrival of French officials the Japanese guard withdrew and Vice Consul Rinden and Mr. Jacoby were taken to French military headquarters and subsequently released.

Frank Wing; Haiphong, French Indochina, January 21, 1941: Was illegally detained and maltreated by Japanese military authorities when he went aboard a ship at Haiphong en route to Hong Kong.

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#### ANNEX 9

### JAPANESE INTERFERENCE WITH AMERICAN TRADE AND ENTERPRISE IN CHINA

#### AMOY

##### *Blockade of the Fukien coast.*

This blockade, which was established on May 10, and which has been maintained to the present time, has virtually extinguished American trade with Amoy and other cities along the Fukien coast.

The American companies principally affected were the Standard Vacuum Oil Company and the Texas Company (China) Limited, which maintain large installations and distribution facilities in Amoy and vicinity. The replenishments of the stocks of these companies, which were held principally on Amoy Island, were made impossible by the blockade; and the companies experienced great difficulty in disposing even of the stocks which they held at the time of the blockade on account of the reluctance of the local authorities to grant permits to ship petroleum products to points on the mainland. Other American firms directly affected were the National Aniline Chemical Company and the Singer Sewing Machine Company, whose business was reduced to negligible proportions. It was only after repeated representations

by the American Consul in Hanoi that the authorities granted permission to the two companies to ship out stocks stored by the two firms in Amoy.

## JAPANESE INTERFERENCE WITH AMERICAN TRADE AND ENTERPRISE IN CHINA

### CANTON

#### *I. Closure of Pearl River to Commercial Shipping, October 21, 1931, et cetera.*

This has been the most comprehensive, important and damaging of all interference with American trade and enterprise in South China. A large proportion of individual interferences with American trade and enterprise in South China has been subsidiary to the closure of the Pearl River. Notwithstanding the supposed ban on all commercial shipping in the Pearl River, presumably for military reasons, Japanese "military transports" have regularly carried commercial cargoes to and from Canton, ignoring the Chinese Maritime Customs, and various Japanese-sponsored tug and lighter services have operated regularly between Canton and Hong Kong. The result of the so-called closure of the Pearl River was therefore a complete monopoly of the commerce of the area by the Japanese. On April 20, 1940, the Pearl River was in theory opened to limited commercial navigation but all products of importance in the trade of the area were placed on a restricted list and permission to ship them had to be obtained from the Japanese-controlled Superintendent of Customs. This "opening" was therefore largely illusory. Japanese transports continued to come and go without reference to the Chinese Customs while permits for American trade on the Pearl River were obtained, if at all, only after lengthy negotiations. There follow a list of specific instances in which American firms were injured as a result of the closure of the Pearl River.

1. *American Silk Spinning Company*.—prevention of shipment from Canton of silk waste necessary to the firm's operation. (Canton silk waste is of a special variety needed by American silk spinning companies. A substantial trade normally takes place in this commodity, and the inability of American silk spinning companies to obtain the commodity has been a serious deprivation.)

2. *B. F. Goodrich*.—refusal to permit shipment of tires and tubes from Canton where there was little market for them and where they were deteriorating.

3. *Paul E. Sammann and Company*.—refusal to permit shipment of eight cases of machinery and tools out of Canton.

4. *Standard Vacuum Oil Company*.—(a) The prevention of the shipment to Hong Kong of stock valued at approximately HK\$1,000,000 for which there was no market in Canton. Permission to ship even 100 empty oil drums was denied by the Japanese authorities.

(b) Refusal by Japanese authorities either to grant permission for the removal or to make payment for 410 tons of fuel oil delivered to the Canton Municipal Electric Power Administration on September 12, 1938.

5. *The Texas Company (China), Limited*.—Prevention of shipment to Hong Kong of stock belonging to the Company valued at approximately HK\$300,000 for which there was no market in Canton.

## *II. Interference with American Trade in Petroleum Products.*

Two American petroleum companies, the Standard Vacuum Oil Company and the Texas Company (China), Limited, maintain extensive installations and distribution facilities for petroleum products in Canton and vicinity which have been built up over a considerable period of years. The business of these companies was of course seriously affected by the occupation of Canton and the closure of the Pearl River to commercial shipping. Late in the year 1939, however, and continuing thereafter it became apparent that a concerted effort was being made to prevent the companies from carrying on their distribution business in the Japanese-occupied areas adjacent to Canton. In December 1939 and thereafter permission was withheld from the companies to make shipments into the Japanese-occupied areas. In November 1939 Japanese military authorities confiscated petroleum products delivered by one of the companies to its local agents. In January 1940 and thereafter a kerosene monopoly was established by the puppet regimes in Fatshan and other districts adjacent to Canton. These monopolies were extended during the year to gasoline, diesel oil, and other petroleum products. Early in 1940 a "special tax" was imposed by the Japanese-sponsored Canton Municipal Administration upon petroleum products. Throughout 1940 the American companies were hampered and restricted in their efforts to distribute petroleum in the districts adjacent to Canton, whereas the local monopolies were flourishing. The puppet regimes increased the price of kerosene and other petroleum products from 20 to 35 percent and seriously interfered with the companies' agency distribution system which had required many years to organize. In November 1940 the Japanese oil agencies connected with the Japanese firm Idemitsu and Company began to operate in several up-country districts in which American companies were refused permission to operate. Late in the month of March 1941 Japanese authorities inaugurated a quota system for the distribution of petroleum products in occupied areas. Under this system one-fourth of the total quota for each up-country district (Canton not included) was allotted to a Japanese firm which prior to the hostilities had no business whatever in the area. The remainder of the quota was divided between the two American and one British firms. This system superseded the monopolistic restrictions which had been in force since December 1939. However, subsequent to the establishment of the quota system the companies experienced great difficulty in operating under that system as a result of arbitrary interference by local Japanese and Japanese-controlled authorities. The American companies were frequently able to ship only a fraction of their monthly quota as a result of this interference which has continued to date.

## *III. Monopolization of the Silk Market.*

As has been indicated American silk spinning companies were injured by their inability to obtain silk from Canton prior to the opening of limited navigation of the Pearl River on April 20, 1940. However, following that theoretical "opening" non-Japanese silk exporters found it virtually impossible to compete with Japanese interests who practically cornered the silk market in Canton as a result of their ability to export silk at freight rates only a fraction of those which third-power firms were required to pay. By 1941 third-power silk

exporters had been eliminated from the market and the trade was completely controlled by Japanese firms who were able to ship Canton silk via military transports.

*IV. Restrictions upon the Carrying of Hong Kong Currency and Chinese National Currency into the International Settlement of Shameen, Canton*

This interference was sporadic and interfered with American business generally, and especially with the business of the National City Bank of New York which was located in Shameen.

*V. Monopoly in Trade in Hides and Hemp Granted to Japanese Firms in October 1939 and Exports of these Commodities Prohibited.*

*VI. Discriminatory Local Tax Established in Canton on Non-Japanese Cigarettes, October 1939.*

*VII. Occupation, Seizure of, Denial of Access to, and Damage to American Properties by Japanese and Japanese-controlled Authorities.*

1. *Standard Vacuum Oil Company.*—(a) Seizure of oil belonging to the Company, September 1939, by the Kongmoon Peace Maintenance Commission, a Japanese-controlled body.

(b) Appropriation by the Japanese army of one of the Company's service stations, August 1939.

(c) Seizure by Japanese military authorities of 80 empty drums from the Company's agent at Sheklung, December 1938.

(d) Removal of stocks from the Company's warehouse at Nanning, October 1940, and subsequent refusal to make payment.

(e) Premises leased by the Company in Sagkki, Kwantung, occupied by Japanese forces, February 17, 1941.

2. *Texas Oil Company (China) Limited.*—(a) Refusal of Japanese military authorities to permit the transfer of pumps belonging to the Company from military areas, thus preventing their use by the Company, August 1938.

(b) The dismantling by the Japanese army of one of the Company's service stations and the erection of a sentry station on the site, October 1939.

(c) Burning by the Japanese troops of Lungchow, Kwangsi, resulting in destruction of the Company's stock.

## JAPANESE INTERFERENCE WITH AMERICAN TRADE IN CHINA

### SWATOW

The closure of the port of Swatow to third powers by the Japanese military forces has constituted a comprehensive and continuing interference with American trade and enterprise. Notwithstanding the fact that the port was supposedly closed for military reasons Japanese vessels carrying commercial cargo have called regularly at Swatow and have carried on an extensive, monopolistic trade. During the month of March 1940 alone, 23 Japanese vessels, excluding genuine military transports, called at Swatow, of which 19 entered with import cargo and 10 cleared with export cargo. The closure of the port to third powers has continued to date, and the trade of the port continues to be a Japanese monopoly.

The principal American business in Swatow has been that of American firms dealing in drawn work, embroidery, and linen. This business has been seriously interfered with as a result of the so-called closure of the port. In order to continue in business the foreign drawn work and embroidery association negotiated with the Japanese authorities in regard to shipments from the port. The Japanese Consul introduced a representative of this group to officials of Mitsui Bussan Kaisha through which company shipments have subsequently been arranged to Shanghai. In return for this arrangement, the American shippers have been obliged to make "voluntary" contributions of \$500.00 per ton and in addition to pay "freight charges" several times the usual shipping rate. It was announced that the money was to be used for the "rehabilitation" of Swatow. Exporters were required, before being permitted to ship, to sign a certificate to the effect that such "contributions" were made voluntarily. In the meanwhile imports of cloth into Swatow by American firms in the drawn work, embroidery, and linen business have been assessed an *ad valorem* "duty" of 11] which has been paid to Mitsui Bussan Kaisha.

#### INTERFERENCE BY THE JAPANESE OR JAPANESE-SPONSORED AUTHORITIES WITH AMERICAN TRADE AND ENTERPRISE IN CHINA

##### CENTRAL CHINA

#### *I. Closure of the Yangtze to free and unrestricted navigation and restrictions generally upon the movement of persons and goods in the Central China area.*

This comprehensive and continuous restriction upon American trade and enterprise in Central China has been perhaps the most damaging of all the interferences which have been established in China by the Japanese military authorities. This measure has served to eliminate the greater part of American imports from, and exports to, and greatly to impede American enterprise in, the Yangtze Valley area of China, hinterland of the important port of Shanghai. Notwithstanding the facts that military operations have not occurred in the lower Yangtze Valley for several years, and the Japanese military and civilian interests are allowed wide commercial and shipping privileges in the area with the collaboration of the Japanese military authorities, individual American transactions involving the movement of American goods or persons into or out of the area have been subject to the granting of permits by the Japanese military or naval authorities. These permits have been so difficult to obtain and subject to such protracted negotiation, controversy and delay and to such arbitrary conditions and momentary revocation, if the permits have been granted at all, that only a few American companies have persisted in their efforts to carry on trade and enterprise with the interior because of the military permit system. Meanwhile, it has been clearly in evidence that behind the screen of the military permit system applied to non-Japanese, Japanese interests have acquired an increasingly important, if not a dominating or monopolistic position in the various kinds of trade and enterprise of the area. The principal commodities in which American trade and enterprise have been interested in the Central China area and some of the difficulties encountered by Americans in carrying on trade in those products are indicated below:

1. *Petroleum products.*—Two American petroleum companies carry on an extensive trade in the Central China area, importing and distributing petroleum products. These companies maintain extensive installations and distribution facilities throughout the Yangtze Valley. Prior to July 1940 the two American petroleum companies were granted a certain number of permits allowing them to transport petroleum products to specified installations in the lower Yangtze Valley. Numerous approaches were made by the Consulate General at Shanghai. In some cases permits were granted; in other permits were consistently refused. Beginning in July 1940, however, virtually all applications for permits by the two companies for shipments to the interior were denied and the business of the two companies was virtually confined to Shanghai. Subsequently, it was reported to the Consulate General at Shanghai that an oil association had been composed at Nanking entirely of Japanese members and that the association would work in cooperation with the Japanese military authorities to control the importation, distribution, and price of petroleum products. There has also been a marked increase in Japanese petroleum distribution facilities in the Central China area and in the Japanese share of nonmilitary consumption of petroleum products. There has been no alleviation of the situation affecting American distribution of petroleum products in this area.

2. *Egg Products.*—Two American firms maintain large plants in Shanghai for the processing, packing, distribution, and exportation of eggs which are purchased in the interior. Previous to the Sino-Japanese hostilities, the processing and exportation of eggs in Shanghai were carried on almost wholly by Chinese, British, and American firms with little Japanese participation. The two American companies continued after the cessation of immediate hostilities in the lower Yangtze Valley their endeavors through the military permits system to purchase eggs in the interior. In the fall of 1939, however, there began a comprehensive interference with the trade of these two firms which has continued to the present day. The interference began with the diversion, upon the orders of the Japanese military authorities, of egg supplies purchased in the interior by representatives of the two American companies to Mitsui Bussan Kaisha while they were being shipped to Shanghai on Japan flag vessels for the American companies. The Mitsui company refused to replace the eggs which had been seized and diverted to them. These seizures and diversions continued and it soon became evident that the Japanese interests were endeavoring to obtain a large, if not dominant, share in the export trade of egg products. In January and February of 1940, after protracted "negotiations" the American and other non-Japanese egg packers in Shanghai agreed to admit the Mitsui company into the Refrigerated Egg Packers Association (and allotted to it a large share of the export market) and in return the Mitsui Company promised to arrange for the American and other non-Japanese companies to receive Japanese military passes that would enable them to purchase eggs in the interior and transport them to Shanghai. Beginning in the summer of 1940, however, in the height of the egg-buying season, all existing military passes were cancelled, onerous inspection requirements were established, and the requirement imposed that all exchange accruing from exports of egg products should be sold to the Yokohama Specie Bank. During succeeding months additional restrictions were imposed and

operations of the two American companies obstructed at every turn. In February of 1941 the non-Japanese egg packers at Shanghai, including the two American firms, finally signed another agreement with the Japanese military authorities which greatly restricts their activities, gives the Mitsui company an even larger share of the export market, diverts the funds accruing from exports to the Yokohama Specie Bank and virtually opens the business operations of the companies to Japanese inspection. The result of the foregoing has been that the business of all of the egg packers at Shanghai, including those which are Japanese controlled, has virtually disappeared.

3. *Silk*.—Late in the year 1938 there was established in Central China under Japanese auspices the Central China Silk Company, a so-called Sino-Japanese enterprise, capitalized at 8,000,000 yen. The Chinese filatures and silk mills outside of the International Settlement were included in the company, these properties being assigned the capital value of 2,000,000 yen, the remainder of the capital being allotted to Japanese textile companies together with Mitsui, Mitsubishi, and other Japanese interests. This monopoly was intended, according to Japanese unofficial accounts, to control the silk industry completely from the distribution of the eggs of the silk worm to the reeling of silk and the weaving of silk fabrics. Non-Japanese buyers of silk have not been able to obtain military passes to enter the silk-producing areas. The result of the operations of this company and of the Japanese military permit system have been that the Japanese companies have taken over the larger part of the export trade in silk at Shanghai, in which they had an exceedingly small participation prior to the Sino-Japanese hostilities. Subsequent to June 1940 deliveries of silk from the interior to foreign exporters at Shanghai became extremely difficult, if not impossible. The Japanese-controlled monopoly has insisted that all silk from Central China be forwarded to the silk warehouses at Shanghai that certain Japanese firms own. According to regulations issued by the Japanese military authorities all foreign exporters are required to forego trading in the unoccupied interior to furnish information regarding their business to the Japanese authorities, to observe fixed minimum prices, to convert into military yen and deposit in a Japanese bank an indefinite share of the profits in their transactions, and to negotiate all of their exchange through the Yokohama Specie Bank. Early in the month of January 1941 the Central China Silk Company suspended the operations of all its factories for three months, meanwhile obstructing the exportation of silk exports at Shanghai by preventing raw silk from moving to the raw-silk testing house, controlled by the Japanese, the certificates of which are necessary for clearance through the customs.

4. *Sugar*.—In September 1940 an American company was refused permits by the Japanese to ship sugar into the interior, the Japanese authorities stating that such permits would be issued only to dealers approved by and dealing through a commission of four Japanese importers.

5. *Tobacco*.—The Japanese military authorities have for several years refused permits to the representatives of an American tobacco company to proceed to long-established points at Pengpu, Anhwei, and to Hankow, Hupeh, for the purchase of stocks of tobacco while allowing the establishment at both points of two Japanese organizations which have been given monopoly control in the purchase of

Chinese tobacco. Another tobacco company was on June 10, 1940, *et seq.* refused permits to ship cigarettes from Shanghai to the hinterland.

In September 1940, it was reported that there was extensive evidence indicating that there had been formed a Central China Tobacco Union under the leadership of the Mitsui Company, the union having as its object the monopolization of cigarette sales in the interior, conducting all business in military yen, and excluding all non-Japanese firms. Coincidentally, non-Japanese firms were denied permits to ship cigarettes into the interior.

6. *Wood oil.*—Prior to the Sino-Japanese hostilities a large and flourishing trade in wood oil was carried on via the Yangtze River. This trade, of course, has been completely cut off by the closure of the Yangtze by the Japanese armed forces. It was only after two years of detention at Hankow by the Japanese military authorities and of negotiations with representatives of this Government and the Japanese Government that 3,715 long tons of wood oil owned by American firms and stored at Hankow since the beginning of the hostilities was allowed to be shipped to Shanghai for exportation. This is one of the few exceptions to the Japanese injunction upon third-power trade on the Yangtze. A similar case was the refusal by the Japanese naval authorities to permit an American firm to ship 36 short tons of wood oil from Nanking to Shanghai, a shipment which had been held at Nanking since the beginning of the hostilities. It was only after two years of negotiations and continuous effort that this wood oil was allowed to be transported to Shanghai.

7. *Miscellaneous.*—Other examples of the refusal of the Japanese military authorities to permit trade on the Yangtze, even to the extent of allowing recovery of merchandise stored at points along the Yangtze since before the hostilities, are as follows:

(a) Refusal of the Japanese military authorities to grant a permit to an American engineering company to remove 109 cases of steel wire stored at Nanking.

(b) Refusal of the Japanese military authorities to grant permission to an American company to ship from Hankow to Shanghai nine cases of American bookkeeping, accounting, and calculating machines and parts.

(c) Refusal by the Japanese military authorities to allow an American petroleum company to remove the company's oil drums at Hohsien, Anhwei, to Nanking.

*II. Requirement of passes from the Japanese military and naval authorities for American citizens desiring to travel in the interior of China, or in areas immediately adjacent to the International Settlement at Shanghai.*

This matter is closely related to the foregoing, namely that of the closure of the Yangtze River and the Central China area, generally, to the movement of American merchandise.

*III. Japanese Monopoly Development in Central China.*

The extensive establishment of *de facto* monopolies by and for Japanese interests in central China in derogation of American treaty rights, has been one of the most extensive and damaging interferences with American trade and enterprise in China. Immediately after

the occupation of the central China area, the Japanese interests took over all of the Chinese public enterprises outside of the International Settlement and in addition took over a great many, if not most, of the larger private enterprises and reorganized them as "Sino-Japanese concerns." In Shanghai the majority of China's cotton mills and silk filatures, flour mills, cement works, watch and alcohol factories, passed to Japanese control; in Soochow, Wusih, and Hangchow, cotton mills and silk filatures were similarly dealt with as were the Pukow Chemical Works in Nanking, the iron works near Wuhu, etc. In March 1938 the Japanese Government chartered the Central China Promotion Company, with a capital stock of yen 100,000,000 most of which is held by the Japanese Government. This company proceeded to take over the unification and supervision of the Chinese public enterprises in Central China which had already been seized and reorganized. Thus the Central China Promotion Company obtained control of transportation, telegraphs and telephones, electric plants, mining and salt industries, and the silk filatures, motor transportation, the fishing industry, Shanghai gas works, Shanghai real estate company, etc. The subsidiaries of the Central China Promotion Company are for the most part large state policy organizations which exercise a monopoly in their respective fields.

Japanese authorities not only monopolized the main fields of enterprise but have taken steps to control and monopolize the imports and exports of virtually all of the principal commodities comprising the trade of the central China area. In a different section of this memorandum it has been pointed out how trade in petroleum products, egg products, silk, tobacco and sugar have been monopolized by the Japanese. In a similar manner virtually all native products and commodities such as rice, wheat, metal and ores, cattle and pigs, hides, cotton, and fish have been monopolized by and for Japanese interests. An important element in the Japanese control of trade between Shanghai and the interior has been the requirement that all trade should take place through the medium of Japanese military yen. Monopolies have been effected through the exercise of a great variety of means but control by and for the Japanese has been the result. Equality of opportunity has been abolished.

#### *IV. Extensive tariff revision by the Japanese and their controlled authorities of the Chinese customs, effective in occupied ports.*

On January 22, 1938, the Japanese-sponsored regime in Peiping had promulgated certain revisions in the tariff rates of the Chinese customs tariff. Effective June 1, 1938 there was put into effect at all Japanese-occupied ports in China a new import tariff which had been "adopted" by the so-called Reformed Government at Nanking and the so-called Provisional Government at Peiping. Although the new tariff was stated to be a return to the 1931 tariff converted to the metric system, as modified by the revisions of January 22, 1938, and to have as its object to bring about a general reduction of duties in order to foster trade and relieve the sufferings of the people by facilitating rehabilitation, actually it effected substantial increases in a number of rates on commodities in which the trade of the United States was especially interested, notably automotive vehicles and parts. Japanese trade was 9½ times as large as the trade of the United States

in the items on which duties were effectively reduced. As was stated in the note of October 6 from Ambassador Grew to the Japanese Minister for Foreign Affairs, "alterations of the Chinese customs tariff by regimes functioning in those portions of China occupied by Japanese armed forces and for which the Japanese Government has formally assured its support are arbitrary and illegal assumptions of authority for which the Japanese Government has inescapable responsibility", and "there can be no equality of opportunity or open door in China so long as the ultimate authority to regulate, tax or prohibit trade is exercised, whether directly or indirectly, by the authorities of one 'foreign' power in furtherance of the interests of that power."

*V. Japanese censorship of American mail at Shanghai and the subjecting of American mail to continued interference and delay.*

Japanese authorities have repeatedly detained or confiscated shipments of American books, magazines, and newspapers consigned by American publishers or shippers to selling agencies in Shanghai. This has been a matter of continuous discussion between the Consulate General at Shanghai and the Japanese authorities.

*VI. Interference by the Japanese naval authorities at Shanghai with broadcasts of American radio stations.*

In April 1940 *et seq.* there was serious and prolonged interference with the broadcasts of radio station XMHA owned by American interests. The interference was traced to the top floor of the Astor House, Hongkew, occupied by Japanese.

On May 5, 1941, *et seq.*, there was serious interference on this same wave length of broadcasts of radio station XMHD owned by the Shanghai Christian Broadcasting Association.

Interference with the broadcasts of these stations was continued sporadically for a considerable period of time.

*VII. Financial manipulations laying groundwork for bringing Central China into the Yen bloc, and upsetting economic activity at Shanghai.*

Following the same pattern as in Manchuria and North China, financial groundwork has been laid by the Japanese and their sponsored authorities in Central China for bringing the area within the yen bloc. Incidentally, these moves have had the effect of disturbing profoundly normal economic and financial activity in Shanghai.

(a) On May 20, 1939, the Hua Shing Commercial Bank was established, and this bank issued a new currency. It was feared that this bank was to develop into a Central bank for the Central China area. However, this plan apparently failed to materialize.

(b) Central Reserve Bank of China, a new Central bank of issue, of was established January 20, 1941, and has already issued more than Yuan 100,000,000 of new currency. This bank is quite similar to the Federal Reserve Bank in North China.

(c) Many hundreds of millions of so-called military yen or scrip have been put into circulation in Central China. This medium of exchange has been forced on the populace, and most of the trade in the areas completely controlled by the Japanese armed forces has, as a result of Japanese compulsion, been obliged to employ military yen.

*VIII. Occupation, seizure of, denial of access to, and damage to American property by Japanese military forces.*

1. *American Far Eastern Match Company.*—(a) Refusal of Japanese authorities to allow power to be supplied to the company's factory.

2. *American President Lines, Inc., Limited.*—(a) Removal of lumber from the company's yard at Chinkiang by the Japanese military authorities.

(b) Interference with a shipment of silver on the S. S. *President Coolidge*.

(c) Imposition of certain restrictions upon navigation on the Whangpoo River preventing vessels of the American President Lines from proceeding up that river and docking alongside the wharves of the Shanghai Wharf and Warehouse Company, a subsidiary of the American President Lines, forcing the Company to spend several hundred thousand dollars each month in lighterage charges.

3. *American Trading Company.*—(a) Sealing of warehouses by Japanese troops.

4. *Andersen-Meyer & Company, Limited.*—(a) Seizure and occupation early in 1939 *et seq.* of the company's cotton spinning weaving mill at Kiukiang and stoppage of operations there.

(b) Refusal by the Japanese authorities to allow the Andersen-Meyer & Co., Ltd., at Hankow to obtain possession of 17 packages of boiler parts at the Chinese Maritime Customs (December 18, 1939, *et seq.*).

(c) Seizure by the Japanese military authorities 1938 *et seq.*, of a flour mill at Hsuehowfu, Kiangsu, and its operation under the military direction of the Mitsui Bussan Kaisha, Limited, in derogation of the rights of Andersen-Meyer & Co., owners of the machinery and equipment of the mill.

5. *Asia Realty Co. Fed., Inc., U. S. A.*—(a) Interference by the Japanese authorities with the real-property rights of this Company. (The Company owns various real properties in Japanese-controlled areas in the International Settlement and acts as a rental agency on behalf of American owners of other properties in the same district. Certain of these properties have been occupied by Japanese tenants since the opening of hostilities in the Shanghai area and rental has been paid by the tenants in certain cases to the Japanese Residents Association. The Asia Realty Company was unable to obtain the accrued rentals paid to the Japanese Residents Association, to conclude leases with the Japanese tenants, to have current rentals paid directly to it, or to evict the Japanese tenants.)

6. *Associated American Industries, Inc.*—(a) Occupation by Japanese troops of two mill properties at Hankow on October 24 and 29, 1939 (Sung Sing Spinning, Weaving, and Dyeing Mill, and the Foh Sing Flour Mill) owned by the Chinese interests and leased to the American Company.

7. *Bills, Frederick T.*—(a) Occupation of certain land owned by Mr. Bills in Shanghai by a Japanese naval landing party which erected radio masts and antennae on the property without permission.

8. *Bills' Motors Fed., Inc., U. S. A.*—(a) Occupation of real property in Hanchow by Japanese troops.

9. *Carolina Leaf Tobacco Company, Fed. Inc., U. S. A.*—(a) Refusal of Japanese naval authorities to permit the company to obtain delivery of tobacco belonging to the company in a godown in Chapei

and refusal of the Japanese authorities to pay compensation for the value thereof. (There is reason to believe that the tobacco was confiscated and sold by the Japanese authorities to commercial interests.)

10. *China Finance Corporation, Fed. Inc., U. S. A.*—(a) Occupation of a wharf owned by the Company in Pootung by Japanese armed forces. Seizure of pontoons by Japanese naval forces.

11. *China Foreign Trade Corporation.*—(a) Refusal by the Japanese military and naval authorities 1937 *et seq.*, to allow the Company to take possession of certain materials owned by the company and held in the Markham Road Railway Yards, Chapei, Shanghai, although the company submitted satisfactory documentary evidence of its ownership.

12. *China Realty Co. Fed. Inc., U. S. A.*—(a) Occupation by Japanese military forces of a wharf at Pootung, Kiangsu, and removal by Japanese military authorities of pontoons and bridges therefrom:

(b) Interference by Japanese military forces with rental of the company's properties at Hongkew.

13. *Commercial Express and Storage Co. Fed., Inc., U. S. A.*—(a) Sealing of warehouses by Japanese troops.

14. *Dollar Company, Robert.*—(a) Seizure of cargo by Japanese forces.

(b) Arrest and detention by Japanese military forces of employees of the company.

(c) Seizure of properties by Japanese forces.

15. *Dollar Wharf and Warehouse Company Fed., Inc.*—(a) Boarding of tender by Japanese armed forces and beating of crew.

16. *E. I. Dupont de Nemours & Company.*—(a) Repeated trespass by Japanese gendarmerie on the leased premises of the company at Hankow and repeated interference with the company's occupation of the property and with the Chinese personnel. The company forced to evacuate the premises.

17. *Henningsen Produce Co. Fed. Inc., U. S. A.*—(a) Interference with access to property by Japanese restrictions.

(b) Continuous interference with shipments of eggs by Japanese naval forces (described in detail under another heading).

18. *Hunt and Company, William.*—(a) Occupation by Japanese troops at Hankow, November 8, 1938 *et seq.* of Nanyang Bros. Tobacco Company, Inc. (a Delaware Corporation functioning as the "nominee" or holding company of William Hunt and Company).

19. *Kofa American Drug Company.*—(a) Prohibition by Japanese authorities of removal of goods from factory.

20. *Koong Cheong Engineering Corporation.*—(a) Occupation of the property of the Company (60 percent of whose share capital is owned by an American citizen) by a mechanized unit of the Japanese Army.

21. *Lang, Robert.*—(a) Seizure on three different occasions, July 29, September and November 2, 1940, of the ship *Estelle L.*, owned by Mr. Robert Lang, by the Japanese Navy en route from Shanghai to Kuao Tow near Wenchow.

22. *W. B. Lewis and Sons, Inc.*—(a) Occupation by a Japanese firm, the Toa Tobacco Company, of a factory belonging to the China Tobacco Company, Limited, a Chinese firm in Shanghai, in derogation of the rights of the American Company which holds a mortgage on the Chinese factory together with a lease and operating agreement.

The American company denied permission by the Japanese authorities to remove from the property the machinery and equipment.

23. *Mamiye and Hidary*.—(a) Seizure by the Japanese military authorities of five cases of cotton cross-stitch goods reported to have been shipped from Wenchow on an Italian vessel.

(b) Seizure by the Japanese military authorities of ten cases of cross-stitch goods belonging to the American firm and en route from Wenchow to Shanghai.

24. *National City Bank of New York*.—(a) Removal of partially destroyed buildings at 136 North Szechuan Road, Shanghai, apparently at the direction of the Japanese authorities, for the purpose of using the premises in conjunction with the operation of a Japanese school immediately adjoining. (The property was pledged as mortgage security to the American Bank.)

25. *Ollerdissen Engineering Corporation*.—(a) Entry and seizure of premises by Japanese officials.

26. *Poplar Grove Farms, Fed., Inc., U. S. A.*—(a) Ten Japanese civilians drove up the farm on September 9, 1939, shut up five employees for three hours and removed certain plumbing, heating, and sewerage supplies.

(b) Refusal by the Japanese military authorities, 1937, *et seq.*, to grant to the company permission to resume operations of its dairy and farm situated near Danziang. (The Company suffered extensive property damages and losses resulting from an aerial bombardment by Japanese airplanes in August 1937.)

27. *R. K. O. Pictures of China, Inc.*—(a) The Japanese authorities at Nanking required that motion pictures be distributed in Nanking through a Japanese monopoly, the China Film Company. The American Company was not allowed to sell through the monopoly and was completely cut off from Nanking theatres.

(b) Confiscation by the Japanese military police at Hankow of two "March of Time" reels owned by the company.

28. *Shanghai Lumber and Coal Company*.—(a) Detention of company's truck by Japanese military forces.

(b) Seizure of lumber and coal by Japanese forces.

29. *Shanghai Power Company*.—(a) Seizure of trucks by Japanese forces.

(b) Interference by Japanese forces with watchman on raft of wooden piles.

30. *Shanghai Stevedoring Company Fed., Inc., U. S. A.*—(a) Confiscation of launch by Japanese forces.

(b) Seizure of trucks and cargo.

31. *Standard Vacuum Oil Company*.—(a) Removal of stocks from installation on Point Island, Shanghai.

(b) Occupation (May 28, 1938) by Japanese troops of an installation belonging to the company at Kiashing, Chekiang, and use of the property as a military outpost.

(c) Seizure by Japanese troops of two boats (*M. B. Marianne* and *Motor Sampan no. 176*) belonging to the company.

(d) Occupation by Japanese armed forces of installations belonging to the company at Kweitech, Honan, and at Hsuchowfu, Kiangsu.

(e) Kerosene containers belonging to the company cut up with acetylene torches by Japanese wearing arm bands with the inscription "Japan iron" on them and shipment of the materials by rail to Pukow, southern terminus of the Tientsin-Pukow railway.

(f) Occupation by Japanese troops of an installation mortgaged to the company at Tsungyangchen, Anhwei.

(g) Removal by Japanese military forces of oil drums from the company's installation at Mingkwang, Anhwei.

(h) Occupation of and damage to installation of the company at Anking, Anhwei.

(i) Denial of access by the company to its installations on Point Island, Shanghai.

(j) Occupation by Japanese troops of an installation belonging to the company at Tatung, Anhwei.

(k) Occupation by Japanese troops of an installation of the company at Yuntsao, Anhwei, and removal of 95 refined oil drums.

(l) Extensive interference with the business of the company at Hsinpuchen, Kiangsu. Onerous conditions imposed upon the transportation and sale of the company's products.

(m) Occupation of installation belonging to the company at Chenglingki by Japanese troops and evacuation of the Chinese staff.

(n) Refusal of Japanese authorities to allow the return to the Company of 14 diesel oil drums stored in the Chinese Maritime Customs property at Hankow (under Japanese control).

(o) Trespass by Japanese soldiers on and interference with installation of the company at Tanshuichih.

(p) Refusal of the Japanese military authorities to allow the company to remove two underground storage tanks from an airfield at Hankow.

(q) Seizure by the Japanese military authorities of two hop tanks.

32. *Texas Company (China) Limited.*—(a) Delay caused by Japanese authorities in removal of stocks from the company's installation at Nantungchow.

(b) Occupation by Japanese military forces of the company's service station at Nanking.

(c) Removal of stocks from the company's installation on Point Island, Shanghai.

(d) Interference with the operation of the company's Gough Island Terminal by Japanese armed forces.

(e) Seizure by Japanese gendarmes at Woosung of 5,700 drums of gasoline and miscellaneous material belonging to the company.

(f) Occupation by Japanese troops of the company's godown at Kiukiang, Kiangsu, and eviction of Chinese caretaker.

33. *Yangtzepoo Hospital.*—(a) Occupation by Japanese troops.

34. *Refusal of the Japanese military and naval authorities to permit fourteen American citizens to visit or occupy their houses on Point Island north of the International Settlement, Shanghai.*—Some of the properties appropriated by the Japanese military and naval authorities. The American Consul General was informed that the Japanese forces had decided to construct military establishments on Point Island and that any appropriation made would be compensated.

#### *IX. Interference by the Japanese Authorities With Trade Between Shanghai and Hong Kong and the South China Coast.*

1. *China Motors Federal Inc., U. S. A.*—(a) Shipments to Ningpo and Wenchow prevented by Japanese naval blockade and shipments to Hong Kong prevented by refusal of the Japanese military authorities to grant a permit.

(b) Japanese interference with the re-exportation of five unboxed Dodge trucks from Shanghai to Hong Kong.

2. *Ford Motor Company, Exports, Inc.*—(a) Refusal by the Japanese officials in charge of the Japanese customs house to grant permission to the company to export fifteen cases of automobile parts from Shanghai to Hong Kong of such articles.

(b) Permit refused for the exportation of motorear parts to Hong Kong.

3. *Henkel, Louis.*—(a) Intervention by the Japanese administrator of Customs acting in accordance with the Japanese naval commander in China to prevent the granting of permission to Mr. Henkel, an American citizen, to re-export from Shanghai to Ningpo of 1,000 automobile tires.

4. *Hunt Engineering Corporation.*—(a) Japanese interference with shipments of motorear parts to Hong Kong.

5. *Hunt Steamship Company, Inc.*—(a) All ships belonging to the company prevented from trade with Ningpo and Wenchow by Japanese naval blockade.

6. *Wm. Hunt and Company.*—(a) Serious interference with the business of the company through Japanese naval blockade at Ningpo and Wenchow.

7. *National Aniline and Chemical Company Fed. Inc. U. S. A.*—(a) Permission refused the company to ship 98 packages of dyestuffs to Ningpo as a result of the Japanese blockade of that port.

#### INTERFERENCE BY THE JAPANESE OR JAPANESE-SPONSORED AUTHORITIES WITH AMERICAN TRADE AND ENTERPRISE IN CHINA

##### NORTH CHINA

I. On March 10, 1938, there was established the so-called Federal Reserve Bank of China in a controlling position with respect to trade, finance, and enterprise in North China. The regularly issued, legal Chinese currency was declared invalid, a new currency was issued by the so-called Federal Reserve Bank, and the new currency linked with the Japanese yen at par. Through trade, exchange and other regulations issued by this bank, and through large yen loans made to the bank by Japanese banks, the North China area has been increasingly tied in to the yen bloc and cut off from normal contact with the United States and other foreign areas.

II. *Export embargoes.*—The customs authorities in North China, in collaboration with the Japanese military authorities, have embargoed the exportation of many commodities formerly traded in by American citizens and exported to the United States in large quantities. The regulations have increasingly aided the Japanese military authorities and commercial interests to take over from American and other foreign interests trade in the embargoed commodities. The principal export embargoes have been as follows:

1. June 28, 1938: Buffalo and cow hides, sheep, goat, and lamb skins.

2. October 18, 1938: Embargo on hemp.

3. October 22, 1938: Embargo on sheep and slink wool.

4. December 5, 1938: Virtual embargo on exports of Hsi-ho rough cotton. (The customs' order prohibits exportation except under permit but this has amounted to an embargo.)

5. July 21, 1941: The exportation of bristles prohibited.

*III. Import Prohibitions.*—July 14, 1938: The importation of short or all-wave wireless equipment prohibited, affecting all manufacturers in the United States of radio equipment marketed in North China as well as importers in North China of American radios.

*IV. Exchange and Trade Control.*—Exchange and trade control was started slowly by the Japanese and their sponsored authorities in North China, and was gradually extended so that at the present time North China is fully integrated into the yen bloc and American trade and enterprise exists only on the sufferance of the Japanese and their sponsored authorities. Arbitrary interference under these controls has been continuous. The principal steps in the foregoing development are as follows:

1. *Export Exchange Control.*—(a) March 10, 1939: Export exchange control established on twelve commodities.

(b) July 7, 1939: Export exchange control established on all commodities.

(c) January 26, 1940: Export exchange control established on articles and parcels under \$100 in value.

(d) September 1939: Japanese firms allowed by the authorities to undervalue cottonseed oil and in other ways allowed to avoid exchange control generally and gain unfair export advantages. Japanese firms obtained a monopoly on the exportation of cottonseed oil as the result of the prevention of the entry of cottonseed into the British and French Concessions.

(e) January 23 and 31, 1940: Japanese military authorities imposed restrictions upon the exportation by American firms of cat, dog, and goat skins.

(f) November 18 and December 23, 1939: The Federal Reserve Bank refused to issue "permits to export without exchange" for the re-exportation from Tientsin to Shanghai of certain imported American goods unsalable in Tientsin.

(g) February 2, 1940: Requirement that the exportation of all parcels containing furs and skins be accompanied by military permits.

(h) May 1, 1940: Widespread preferential treatment of Japanese exporters and shipping companies by the Federal Reserve Bank and the Yokohama Specie Bank. Widespread evidence available that these banks sell to Japanese individuals and firms exchange for the payment of shipping and insurance charges at the "official" rather than at the "link" rate; that they resell to Japanese importers 99 percent of the exchange accruing from their exports instead of 89 percent as is the case with all other traders; that they delay unduly the issuance of export permits to non-Japanese exporters. Evidence also obtained that Japanese interests are allowed to undervalue their exports and in other ways to obtain export advantages with the result that Japanese interests have rapidly increased their share in the foreign trade of North China.

(i) March 15, 1941: Tientsin postal authorities refused to accept any parcels containing furs and skins for dispatch to the United States

regardless of whether accompanied by the previously required military and exchange permits.

(j) February 20 and April 22, 1941: Arbitrary refusal by the Federal Reserve Bank to issue permits to allow the exportation to Shanghai of cotton yarn by American firm in Tientsin although all exchange and other regulations complied with.

2. *Import Control.*—(a) March 7, 1939: Import control first established in the form of a published list of "preferred imports" (revised July 7, 1939). Preferential exchange treatment accorded to imports on the preferred list. American firms exporting to North China a wide range of goods adversely affected.

(b) June 28, 1940: All imports into North China made subject to the issuance of a permit by the Federal Reserve Bank. Imports from Japan and "Manchukuo" specifically exempted. The object of this order is to cut down imports to 10 percent less than the value of visible exports. Link exchange is made mandatory. In most cases the bank refuses to issue permits and delays action on applications.

(c) July 26, 1940: Federal Reserve Bank announced that no further application for imports or re-imports without exchange would be approved except for provisions and "other goods considered by the bank as daily necessities."

(d) September 1940: Organization of Japanese-sponsored and dominated import associations controlled by the Japanese Consulate General and establishment of the requirement that import applications in connection with certain commodities be accompanied by "certificates" issued by the associations. (For example, in North China the Cotton Yarn, Cloth, and Thread Association controls trade in cotton textiles; similar Japanese-controlled associations supervise importation and distribution of automotive vehicles and parts.)

(e) September 19, 1940: The Japanese Consulate General at Tientsin forbids the sale by members of competent associations of goods at prices above those existing on September 18, 1940.

(f) November 9, 1940: The Federal Reserve Bank at Tientsin and the China Affairs Board at Peiping reject the application of Young's Motors Federal, Inc., to import twelve motorcars.

(g) February 3, 1941: The Federal Reserve Bank at Tientsin refuses to issue permits for the importation from the United States of fur skins, fur waste, and fur cuttings.

(h) July 28, 1941: The Federal Reserve Bank ceases issuance of import permits until further notice.

V. Arbitrary and unwarranted interference with the movement of Americans and with the purchase, sale, and transportation of American goods and property in North China.

1. June 14, 1939, to June 20, 1941: Japanese blockade of British and French Concession at Tientsin restricting the movement of persons and goods in and out of the Concession and seriously affecting all American citizens and firms in Tientsin. (Blockade theoretically lifted June 20, 1940, but sporadic interference has continued to date.)

2. 1939-1940-1941: Comprehensive and continuous interference by the Japanese military throughout China, especially North China, with American trade in petroleum products, principally kerosene and candles. Interference varied in character, but among the most common categories were (1) price fixing below the profit line; (2) quantitative limitations and other restrictions upon or prohibition of

movement of petroleum products from Tientsin and other railway centers to interior markets; (3) the levying of so-called "transit" and other illegal taxes upon the transportation of petroleum products; (4) the establishment of monopolistic organizations to distribute petroleum products in certain markets at fixed prices; and (5) prohibitions against purchase of petroleum products by anyone not possessing a "purchase" certificate issued by the local magistrate, or certain Japanese military authorities. Dozens of local protests have been made by American consuls and consuls general; fourteen protests were made to the Japanese Embassy in Peiping and comprehensive representations were made in Tokyo without achieving material improvement of the situation. The interferences so comprehensive, extending to all provinces and all important towns and cities in North China, that it is evident that the interference has been a part of a campaign to cause American petroleum companies to withdraw from the market; meanwhile, Japanese petroleum interests have been increasing rapidly their share of the petroleum trade in China for nonmilitary consumption and rapidly expanding their distribution facilities.

3. Comprehensive and continuous interference by the Japanese military authorities in North China with the purchase, transportation, and sale by Americans of furs, and skins, wool, carpets, leather and cotton. The principal interferences in this connection are as follows:

(a) January 13, 1939 *et seq.*: Interference by the Japanese military authorities to prevent the delivery of parcel post packages and rail shipments of furs to American consignees. All American exporters of furs in North China affected; and American importers of furs in the United States also adversely affected. These interferences lasted over a period of many months.

(b) May 20-29, 1939: Japanese military regulations invoked to prevent the passage of carpets, yarn, and wool into the British Concession, adversely affecting two American rug companies.

(c) December 13, 1939: Refusal of Japanese military authorities to allow an American firm to ship carpet wool by motor truck from Peking to Tientsin.

(d) January 13, 1940: Refusal to permit transportation of raw wool by rail from the interior of Shantung and Hopei to Tientsin for the manufacture into rugs by American firms.

(e) December 29, 1939: Prohibition of the movement of cotton into or out of Tientsin except with a permit issued by the Japanese-sponsored "North China Cotton Association."

(f) October 1, 1940: The Japanese military promulgate regulations governing the movement in North China of raw materials for light industry. These regulations prohibit the movement of cotton, hemp, jute, and other vegetable fibers, leather and furs in North China without a transportation "permit" issued by the Shimizu Unit after an inspection by that organ. They also provide that the Unit is privileged to purchase at its own price any goods found "suitable for military use" and that the Unit may demand the right to inspect such goods wherever they may be stored regardless of the nationality of the owners. Pursuant to the foregoing, wool shipments belonging to two American firms were seized on October 19 and October 23, 1940, because they were not covered by the requisite permits. In practice the Shimizu Unit refused to inspect or issue export permits for furs and skins except those handled through Japanese firms, with the result

that the regulations became a prohibition. American-owned furs valued at \$700,000 were prevented from being moved in October 1940. At Tsinan, during a so-called inspection certain furs were rejected as being suitable for military use by the Japanese military authorities and an arbitrary and low price was offered to the owners for the "rejects." The owners refused to sell at this confiscatory price and the authorities refused further inspection and permits. In December, permits were received by American firms to move to Tientsin furs at Tsinan and Tsining, but 2 percent of the cargo was rejected by the Japanese military authorities and purchased at a confiscatory price by the Japanese authorities.

(g) September 2, 1940: Japanese gendarmerie seized a fur and leather shipment owned by an American firm, and during this seizure 37 otter skins valued at \$400 disappeared.

(h) October 28, 1940: Japanese military authorities prevented the removal of 278 bales of raw wool belonging to an American firm from the Company's warehouse at Peiping.

(i) May 1940: Two bales of kidskins purchased in Tsining and shipped to Tsinan by an American firm disappeared en route. A claim was made against the North China Railway Company for the value of the skins (local currency, \$17,140) but the firm's representative is not hopeful of obtaining compensation.

(j) May 1940: Four bags of wool, purchased for the account of an American firm were removed from a warehouse in Tsinan by Police acting allegedly under orders of Mitsui Bussan Kaisha, which firm has apparently been granted a wool monopoly. (The wool was finally released.) The local Chinese police are authoritatively reported to have been ordered to direct all wool arriving in Tsinan other than by rail to Mitsui Bussan Kaisha.

4. Comprehensive and continuous interference, 1938-1941, with the operations of an American tobacco firm (Universal Leaf Tobacco Company) by the Japanese military authorities. This company has been engaged for many years in the purchase and sale of leaf tobacco in the provinces of Honan, Anhwei, and Shantung; the company has substantial investments in those provinces. The Company has been continuously obstructed and harassed in the conduct of its operations by the Japanese military authorities. Its buyers have been excluded from purchasing operations in Anhwei and Honan and other interior points on the grounds that military operations are in progress in that area, whereas those areas are far removed from any theatre of military operations and commercial Japanese tobacco buyers have continuously operated in those areas. As a condition for purchasing in Shantung the Japanese authorities have stipulated that the company purchase with foreign exchange two-thirds of the Federal Reserve Bank currency to be expended while no such requirement is made of Japanese buyers. As a result, the business of American (and other non-Japanese) companies has declined and the business of their Japanese competitors has arisen accordingly. More recently the American company has been faced with demands that it accept virtual Japanese management and direction of the company, including all its branches, but these demands, after much negotiation, were withdrawn.

5. Restrictions by the Japanese military authorities, April 18, 1938, *et seq.*, upon trade through the port of Chefoo with the interior. Not

only war materials but foodstuffs and all petroleum products including kerosene and candles included. Restrictions lifted and reimposed from time to time on various commodities. American trade in petroleum products, especially kerosene and candles, and aniline dyes principally affected. (It may be noted here that the general trade and exchange control and currency measures enforced in North China have applied, of course, to trade at Chefoo, Tsingtao and other ports of North China and have affected adversely American trade through those ports and American interests operating in those ports.)

6. Miscellaneous: (a) December 1938 *et seq.*: The Japanese military authorities prohibit, except under permit issued by them, the movement of various commodities in several localities in North China. The licenses, in fact, were not issued by the Japanese military authorities (Japanese Special Mission).

(b) March 7, 1939: Japanese military authorities erected barricades blocking the only road leading to the factories of two American firms, preventing the ingress of raw materials and the egress of finished products. Blockade maintained for one week.

(c) March 1939 *et seq.*: Refusal of the Railway Administration Bureau which operates under the control of the South Manchuria Railway to renew the lease of sites and railway sidings which have been used for many years by an American petroleum company in the conduct of its business throughout the interior of China.

(d) June 19, 1939: The operation of sampan ferry services across the Hai Ho was prevented by the Japanese military authorities, thus obstructing access to two American oil companies' installations.

(e) October 1939: The operation of cargo boats on the Hai Ho, belonging to an American oil company was prevented by the Japanese military authorities although the company was in possession of the previously required permits.

(f) October 1939: Refusal of the Japanese military authorities at Dairen to permit the reshipment of a bleaching powder consignment to Tientsin.

(g) October 1939: Japanese interference with and damage to installations of an American petroleum company.

(h) July 24, 1940: Japanese gendarmerie and Chinese police under their control refuse to allow a shipment of structural steel, belonging to an American company, to enter the British and French Concessions.

(i) October 22, 1940: The French Consul in Tientsin, acting at the behest of the Japanese Consul General, required an American petroleum company to cease operating its private radio-telephone between its office and the French Concession and its installation in the Third Special Area.

(j) August 1, 1940: Prohibition against travelers to and from North China carrying funds in excess of F. R. B. \$200 without permission. (On August 12 U. S. \$128 belonging to an American citizen were seized by customs authorities at Tangku and on September 30 U. S. \$85 were seized from another American citizen, and on October 1 U. S. \$105 were seized from a third American citizen.)

(k) October 1, 1940: Illegal seizure by French municipal authorities under Japanese pressure and delivery to the Japanese Consul General at Tientsin of radio equipment owned by an American firm.

(l) November 1940: Film censors at Peiping deleted 288 feet of an American film and refused to return the deleted portions to the owners.

(m) February 1, 1941: Japanese banks dishonor bearer drafts issued by their China offices and refuse to make refunds on such drafts.

(n) April 2, 1941: Chinese currency belonging to an American citizen was seized by the Japanese military authorities while he was traveling between Peiping and Teintsin.

(o) July 28, 1941: Post offices at Tientsin refused to accept all parcel post packages whether for local or foreign delivery presented by American citizens and firms.

(p) July 28, 1941: Refusal by railway officials to transport or deliver American cinema films.

(q) March 14, 1939: Seizure from Chinese employee of an American petroleum company of local currency \$1,945 belonging to the company.

(r) March 26, 1939: Detention by the Japanese military authorities at Lungkow of oil drums valued at local currency \$2,002 owned by an American petroleum company. The drums were not returned or paid for.

(s) December 25, 1939: Suspension for one month of parcel post services to the United States from Chefoo.

*VI. Monopolization of enterprise by Japanese-controlled State-policy organizations.*—Another comprehensive and damaging interference with American trade and enterprise in North China is that accruing from the establishment by the Japanese or their sponsored authorities of State-policy organizations exercising a complete monopoly over every important branch of economic activity including transportation, communications, industry, agriculture, and banking. Most of these organizations are joint-stock companies created by a charter of the "Provisional Government." Their capital investments range from a few million to several hundred million dollars. Although nominally Sino-Japanese enterprises, the Chinese portion of the holdings is much smaller than the Japanese and, in most cases, represents merely the Chinese property seized by the Japanese. All effective control is in Japanese hands. The immediate objectives of these organizations are (1) to provide transportation and supplies for the Japanese army of occupation, (2) to produce, commandeer, or buy at low prices raw materials needed by Japan's home industries, and (3) to make all North China a privileged preserve for Japanese business enterprise and a protected outlet for surplus Japanese products. Methods employed are the counterpart of those adopted in Manchuria. They are fundamentally opposed to the "open door" policy, curtail American enterprise, and tend to the exclusion from the area of virtually all legitimate American trade.

The holding company of the Japanese-controlled policy organizations in North China is the North China Development Company organized under the Japanese Government (with more than one-half of its capital stock owned by the Japanese Government), capitalized at yen 350,000,000 with head offices in Tokyo and branches in Peiping and Kalgan. This holding company works on lines parallel to those followed in Manchuria by the Manchuria Industrial Development Company and in Central China by the Central China Development Company. This holding company directs the operation of approximately 20 subsidiary companies. Nearly all of these subsidiaries are

juridical persons chartered by the "Provisional Government" but directly responsible to the North China Development Company. Specifically the company controls railway transportation, coal, iron and tungsten, gold mining, the production and distribution of electricity, telegraphs and telephones, the production and distribution of salt, the cotton trade, chemical manufacture, aviation, the bristles trade, the tobacco trade, and the wool trade.

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INTERFERENCE BY THE JAPANESE OR JAPANESE-SPONSORED AUTHORITIES WITH AMERICAN TRADE AND ENTERPRISE IN INNER MONGOLIA

1. November 1, 1937: Unofficial "monopoly" on purchases of linseed given to Japanese firms (all Japanese purchases exported to Japan).
2. October 25, 1938: Exchange and trade control established. Exportation from Inner Mongolia of all animal hair, wool, furs, hides, and skins, and the making of payments of currency, drafts, or checks (over \$1,000 local currency) must be authorized by the Mongolian Frontier Federation. Applications required to be made through the Mengchiang bank.
3. July 5, 1939: Mengchiang Petroleum Monopoly is granted exclusive rights for the sale of petroleum products in Inner Mongolia.
4. November 1, 1939: Promulgation of law restricting and controlling the use of gasoline in the Mengchiang district, apparently for the purpose of decreasing gasoline consumption.
5. November 20, 1939: Promulgation of a law regulating the production and distribution of merchandise as well as the prices and freight rates of "necessities"; and regulating the wages paid in the production of "necessities." (Price fixed for kerosene sold by American companies.)
6. March 1940: Proclamation by the Mengchiang regime that only automotive vehicles manufactured in Japan, Germany, and Italy were to be allowed to operate in that territory; refusal by the Japanese military authorities at Kalgan to permit the entry of ten Dodge buses into the Mengchiang area.
7. May 17, 1940: Imposition of regulations requiring foreigners desiring to travel to Kalgan to obtain permits from the Tada Unit of the Japanese army at Peiping, such permits to be valid only for direct and unbroken journeys from Peiping to Kalgan, and those persons contemplating travel to other localities in Mongolia from Kalgan required to obtain "directions" from the headquarters of the Okabe Unit in Kalgan.
8. July 1940 *et seq.*: Requirement that an American petroleum company produce evidence of imports (tax receipts) before being allowed to remit funds out of Mengchiang area. All remittances reportedly controlled by the Mengchiang bank. The remittances may not be made prior to receipt of shipments, and no assurance had that they would be allowed in any case.
9. October 1, 1940: New and comprehensive control of all exchange transactions on imports and exports established. (Supersedes control law, October 25, 1938, and subsequent legislation.)

10. November 20, 1940: Reported decision of North China Communications Company that after November 20, 1940, certain categories of goods could not be shipped to Inner Mongolia without a permit from the "Economic Supervisors of the Mengchiang Government." (The list includes vehicles and parts, petroleum products, machinery, and automobile tires and tubes.)

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CERTAIN CASES OF INTERFERENCES WITH AMERICAN NATIONALS, RIGHTS, AND INTERESTS IN JAPAN AND JAPANESE-OCCUPIED AREAS OF CHINA, JULY 26-NOVEMBER 18, 1941

There are indicated below instances of such interferences which have occurred since the institution of freezing control of Japanese funds in the United States but which have no relation to freezing control as such, except as they may constitute activities in retaliation for freezing control.

A. RESTRICTIONS ON TRAVEL

(1) At Chingwangtao, Americans embarking for Shanghai were required not only to have a permit for rail travel to Chingwangtao but also a landing permit from the Japanese naval authorities, which required at least a week to obtain. At Peitaiho, where a large number of Americans and other foreigners pass the summer, transportation of baggage of Americans to the railway station was forbidden and the railway refused to receive baggage for checking. Despite assurances from the Japanese Embassy at Peiping that restrictions of this character would be lifted, Americans were still unable to check baggage at many places outside of Peiping.

(2) In Japan, travel of American citizens was restricted so that Americans who desired to proceed to Shanghai to obtain available accommodations for travel to the United States were unable to proceed. Furthermore, resident American citizens were not permitted to depart from Japan unless permission was first obtained from the prefectural governor. For the purpose of providing transportation to the United States of twenty-two American officials and approximately 130 American citizens in Japan, the American Government gave consideration to the possibility of diverting the S. S. *President Coolidge* to a Japanese port. The Japanese Government was willing to permit the steamship *Coolidge* to enter a Japanese port for the purpose only of taking off official personnel. American officials, including consular officers, naval and military attachés, and language officers, who were embarking for Shanghai on the S. S. *Tatuta Maru*, were subjected to stringent regulations in connection with the securing of the necessary permits for departure, and their personal effects, baggage, household furniture, et cetera, were examined.

(3) At Dairen, the Consulate was officially informed that arrangements had been made for the dispatch on August 15 of a special train northward for foreigners who desired to return to their residences in Manchuria, and that failure to go by that train would mean loss of opportunity for the time being of leaving Kwantung-Leased Territory. Foreigners who wished to depart for their homes in Shanghai or Dairen were informed that they should be prepared to leave by a southbound train on August 18.

(4) At Chefoo, the Japanese ban on the travel of Americans, which had been temporarily relaxed, was again enforced on or about August 11 when two American businessmen were prevented from sailing to Shanghai. On August 14 travel permits were again being issued but applications therefor had to be filed at least one week prior to departure.

(5) At Hwanghsien, Shantung, American citizens were prevented from traveling to Chefoo.

(6) At Tientsin, for several days after the institution of freezing regulations, the Japanese military refused to issue travel passes to Americans, and even after the restrictions appeared to have been somewhat relaxed, passes for persons traveling from Tientsin to Shanghai were withheld until the day before sailing. The Consul reports that following a temporary relaxation in the restrictions, they were again increased and the Japanese authorities insisted that for travel by ship from any port in the Tientsin area a Japanese military permit was required, which had to be countersigned by the Japanese naval authorities in Tientsin. Applications for such permits could be filed only in Tientsin, even by those individuals in Peitaiho who desired to sail from Chingwangtao, some six miles away, and regardless of the fact that with no express trains running the journey between Peitaiho and Tientsin required approximately eight to ten hours each way.

(7) At Tsingtao, Vice Consul Hawthorne was not permitted to return to his post at Tsinan and at Tsinan Vice Consul Davis was not permitted to return to Tsingtao until after representations had been made to the Japanese Embassy at Peiping. Travel by sea and rail from Tsingtao was restricted for Americans, and permits were issued only after close scrutiny and delay. Baggage was regularly searched and travelers often rudely questioned by Japanese gendarmes at the station, despite the fact that permits were found to be in order.

(8) At Mukden, American nationals were required to obtain permits before they were allowed to leave Manchuria. Permits were denied to those applicants who had not obtained police approval of their itineraries outside of Manchuria. Americans in outlying towns were subjected to strict police orders in local travel. One American citizen was unable from August 18 to August 30 to obtain permission to leave Manchuria for the United States, and no reasons were given for this denial of permission. A destitute American boy, aged 14, was denied a visa for transit to Shanghai via Dairen on grounds of "military necessity." After repeated representations by the Consul at Mukden to the authorities at Hsinking he was finally given permission on August 1, 3 p. m., to leave for Tientsin, but was required to depart that same night and was only permitted to take with him ten yen. As from November 11 the local authorities at Mukden prohibited all travel of all foreigners for an indefinite period, no reason being assigned therefor. The Consul reported numerous other instances of Japanese interference with the travel and activities of American citizens and stated that it was obvious that civil authorities in Mukden had evolved a policy of evasion and inactivity which covered a program of intimidation by the military against Americans and other foreigners. American Catholic Mission Sisters at Fushun were permitted by police to visit the American Consulate for passport services only on

the condition that they would guarantee to return to Fushun the same day.

(9) Americans desiring to leave Harbin for Shanghai were restricted in their departure on two trains per month, on which neither sleeping accommodations nor food were obtainable. On or about November 10 local officials announced that no foreigners other than diplomats would be permitted to travel either in or out of that area.

(10) An American missionary at Kaifeng was unable, from August 12 until after August 30, to obtain a pass from the Japanese military authorities at Kaifeng to proceed from that city to Shanghai. In September the Japanese Consul General informed the American Consul at Nanking that travel by foreigners to or from Wuhu would be prohibited from October 1 for an indefinite period. The American missionaries who had been detained by Japanese or Japanese-sponsored authorities at Tsingkiangpu from July 31 to August 16, were unable to obtain passes from the Japanese authorities to proceed from Tsingkiangpu to Shanghai. Passes for two of the above-mentioned missionaries were finally obtained late in October but travel permits for the remaining seven missionaries have not yet been issued.

(11) At Swatow travel between the occupied and unoccupied areas was prohibited after August 1, thus causing considerable hardship to various American missionaries who resided in the unoccupied territory.

#### B. INTERFERENCE WITH AMERICAN MAILS, OFFICIAL AND PRIVATE

(1) At Tsingtao, the mail of American citizens, including the official mail of the American Consulate, was apparently held up, censored, and in other ways tampered with.

(2) At Chefoo, mail addressed to Americans, including official mail for the Consulate, was held up and registered mail received by the American Consulate showed evidence of having been opened by censors. The Consul stated his belief to be that mail for Americans was sent to Peiping for censoring.

(3) At Shanghai, a large quantity of mail which had arrived on an incoming vessel on August 7 was not delivered by the Shanghai Post Office until more than twenty-four hours after its arrival at that port. Incoming mail which arrived at Shanghai on the S. S. *President Harrison* in the latter part of August was similarly delayed in delivery.

(4) At Mukden, the Consul reported strong evidence of interference with the Consulate's official mail sent to and received from the American Consulates at Harbin and Dairen. Sealed envelopes and envelock covers were broken open and some envelock covers were known to have been removed from a package.

(5) At Dairen and Harbin similar conditions prevailed as at Mukden. The Consul at Dairen reported on August 7 that he had received a sealed official cover containing nonconfidential matter from the Consulate at Chefoo, the seals of which were broken, and which had been marked "opened by censor." Local police continuously stopped the Consulate's messengers, and required them to submit all outgoing and incoming mail covers, telegrams, and chit books for examination. At Dairen, Japanese interference with both incoming and outgoing mail addressed to and sent by American citizens was reported, and deliveries were subjected to unreasonable delay, often exceeding one month. In response to an inquiry made by the local

office of the Texas Oil Company in regard to the failure of the company's Shanghai office to receive mail which had been sent from Dairen, the Dairen postal authorities were said to have orally stated that all mail of American firms which were subject to or affected by the Japanese freezing regulations, was held for a period of one month before delivery.

(6) At Tientsin, the Japanese-controlled post office denied parcel-post facilities, both local and international, to Americans, in one case refusing to accept a parcel from a member of the Consulate General's staff addressed to an officer of the Embassy at Peiping. Parcels for consular officers and for the marine detachment, which had been detained by the postal authorities for months, were released only after a Japanese consular officer had personally gone to the post office and had taken the packages in question to the American Consulate General.

(7) At Canton, since the latter part of July, American consular mail has been opened, tampered with, and delayed. Official mail to missionaries on Hainan Island was also opened.

(8) At Swatow, mails were subjected to the scrutiny of censors stationed in the post office, and postal service between the occupied and unoccupied areas was discontinued on August 1.

#### C. POLICE SURVEILLANCE OF CONSULATES AND OBSTRUCTION OF EXERCISE OF OFFICIAL FUNCTIONS

(1) At Dairen, consular officials were placed under strict police surveillance and were followed in all their movements; persons entering and leaving the consulate were for a time stopped by the police and questioned; the Consulate's messengers were regularly stopped by the police and the mail and telegrams in their care were taken for scrutiny. While the police questioning of visitors appears to have abated somewhat, the conduct of the Dairen authorities, in general, and their interference with legitimate activities of the American Consulate appeared to show a desire by those authorities to make the position of the Consul untenable. The local telegraph authorities, upon one occasion, refused to deliver a code telegram addressed to the Consulate by the American Consul General at Shanghai. American citizens experienced great difficulty in making telephone calls to the residence of the Consul and the Consul reported that telephone wires were obviously tapped. American consular officers were informed by the local authorities that they would not be permitted to ship personal effects from Dairen to the United States without a permit issued by the Japanese Ambassador at Hsinking, and that to obtain such a permit it was necessary for them to submit a detailed list of their effects, showing the individual value of each article.

(2) In Japan, by the restrictions on the use of the English language over the telephone, American diplomatic and consular officers were denied a facility which was essential to the proper functioning of their offices. The Consul at Kobe reported that employees of the Consulate there were apparently subjected to strong pressure to persuade them to resign from their employment. In reply to representations made by the Embassy at Tokyo, the Japanese Foreign Minister stated that regulations controlling telephone communications were issued as a result of similar regulations reported to be in effect in Great Britain.

(3) At Mukden, control over the movements and activities of Americans was rigid. Long-distance telephone calls were restricted to the Japanese or Chinese languages, and when the Consulate at Mukden attempted to telephone to the Consulate at Dairen it was informed that it "had better cancel the call." Certain official funds, which had been obtained by the Consul at Mukden from the Consulate General at Tientsin, were required to be deposited in the Central Bank of Manchu, and all withdrawals had to be accompanied by applications setting forth the character of and the necessity for each expenditure.

(4) At Tsingtao, gasoline restrictions formerly enforced against Americans were replaced by a rationing system under which the Consulate was allotted only 80 gallons of gasoline per month, an amount insufficient for the Consulate's staff. No gasoline was made available to American nationals generally, however. Garages were forbidden to furnish taxicabs to American citizens, including the American Consul, who had no car of his own and was therefore subjected to serious hardship in the performance of his duties. After representations to the Japanese Consulate General, taxis were made available to the Consulate but not to other American nationals.

(5) At Foochow, two policemen visited the Consulate and stated that they had been instructed by the Japanese authorities to see that "nothing passed in or out." They asked to be given quarters in the Consulate but departed upon being asked to do so by the Consul. Similar activities were undertaken by the police with more success against American firms and missionary organizations.

(6) At Chefoo, telephone and electric power service was cut off at the American Consulate for a number of hours on July 28.

(7) At Shanghai, the Consulate General was unable to ship six cases of official supplies to the Consulate at Harbin without a "Manchukuo" import permit. Although continuous efforts were made to obtain the required permit, it had not been issued by October 8.

#### D. INTERFERENCE WITH EXERCISE BY AMERICAN NATIONALS OF PROPERTY AND COMMERCIAL RIGHTS IN JAPANESE-OCCUPIED TERRITORIES

(1) At Tsingtao, American firms were prohibited from moving their stocks and carrying on business; and were not permitted, with certain exceptions, to draw funds from Japanese banks to pay their staff salaries. The premises of the Standard-Vacuum Oil Company and the Texas Oil Company, and of the Universal Leaf Tobacco Company, were occupied by Japanese gendarmes. Protests against the smoking of cigarettes by Japanese sentries in the oil installations of American companies, thus endangering American life and property, have been without avail. The American-owned Capital Theater was picketed by local police, and as a result was forced to close. Restrictions were imposed against the delivery of coal to American nationals and taxicab and garage service was not available generally to American citizens by reason of Japanese-imposed restrictions. The original prohibition against the furnishing of gasoline to American citizens was subsequently replaced by a rationing system which is understood to be working severe hardship on American nationals.

(2) At Chefoo, the warehouses of the Standard-Vacuum Oil Company and the Texas Oil Company were sealed by the Japanese Special Military Mission, and their stocks were placed under the control of that organ. Sales could only be made by permit and it was required that the proceeds therefrom be handed over to the Japanese authorities. With certain exceptions, American firms in Chefoo were unable to draw funds from the Yokohama Specie Bank to meet their local pay rolls. American firms were forbidden to carry on any business transactions or to move their merchandise.

(3) At Tsining, Shantung, a virtual blockade of Cheeloo University and Cheeloo Hospital was established, and no foodstuffs or other articles were allowed to enter these two missionary institutions. In reply to representations made by the Vice Consul at Tsinan the Japanese Consul General stated that the restrictions against Cheeloo University and the detention of American mail there were matters with which his office was not concerned. However, after repeated representations, the majority of the above-mentioned restrictions were lifted, and the pickets were retained only at the University gate.

(4) At Tsinan, agents of American companies were not permitted to sell any stocks unless permits were obtained from the Japanese military authorities. Properties of American commercial firms and missionary organizations were placed under so-called "protective custody", such "protection" consisting of Chinese or Japanese pickets. In certain cases, as at Tsining, the pickets demanded and received board and lodging. Coal dealers were instructed not to sell coal to Americans and taxicab service was no longer available to them.

(5) At Ichowfu, Shantung, it was reported that the property of the American Presbyterian Mission had been seized, the radio confiscated, and that a demand had been made for the mission's automobile.

(6) At Kobe, the telephone service of the Standard-Vacuum Oil Company was cut off because the company was unable to draw funds to pay the telephone bill.

(7) At Tientsin, American firms were unable to make rail shipments and the post office in one instance refused to accept a registered letter addressed by an American firm to the United States. American oil companies reported that their agents and customers were denied access to and prevented from moving stocks; that in several cases stocks were actually seized; and that the companies were unable to obtain permits for shipments to the interior. Distribution of American moving picture films was not allowed to be made by rail and such distribution was also subjected to other difficulties. Parcel post packages valued at more than \$100 local currency were not accepted for transmission to the United States, and if sent by or to Americans in any points in China were not accepted or delivered by the post office.

(8) At Dairen, although the National City Bank of New York received earlier assurances from the Dairen financial authorities that a plan would be provided whereby the bank might in a modified manner resume operations (repayment to "non-specified" or approved nationals of deposit, making of salary payments and other current

operating expenses, collection of loans outstanding, making of essential bookkeeping entries and use of clearing house facilities), the bank was unable to carry on operations of any character. In addition the police authorities made demands on the bank for records and information in regard to the bank's clients. The residence of the local manager of the National City Bank was twice searched by police, who left it in a ransacked and disorderly condition. The residence of the manager of the Texas Company was similarly searched; he was not permitted to live on the company premises; and his Chinese watchman was detained and later severely beaten. The company's operations were stringently restricted and hampered. American citizens and nationals were not permitted to withdraw from the National City Bank sufficient funds for payment of rent and servants' wages.

(9) At Tokyo, the American Embassy reported that American firms there received numerous demands from their Japanese employees for retirement allowances and increased salaries, and it was stated that it was believed that the above demands were made with the approval of the Japanese authorities.

(10) At Mukden, comprehensive regulations governing entrance and residence in "Manchukuo" have been promulgated. The Yokohama Specie Bank at Peiping was prohibited from transferring funds from Peiping to Mukden for American nationals there. The Consul reported that he had learned that one American missionary at Shanchentze and another at Erpatan were denied the right to purchase flour, sugar, matches, kerosene and other necessities by the local police.

(11) At Shanghai, the Consul General reported that a small tanker, property of the Standard-Vacuum Oil Company, carrying a shipment of kerosene to a small Yangtze delta port, was detained for several days by Japanese naval authorities. The vessel was subsequently released but the cargo was detained.

(12) At Wuhu, two Japanese armed sentries on August 3 forced their way through the Wuhu General Hospital grounds by threatening the gatekeeper with fixed bayonets and slapping him.

(13) At Tsingkiangpu, Shantung, Japanese military police entered Tsingkiangpu Hospital on July 31 and after thoroughly inspecting the premises placed a number of American missionaries under armed guard in one of the hospital residences. The missionaries in question were unable to obtain adequate supplies of food, and before their release they were required to sign a statement "apologizing" for having given medical treatment to certain wounded "enemy" soldiers. Their release on August 16 was not effected until after the American Consulate General at Shanghai had requested the Japanese consular authorities there for a full investigation and report. At Hwaiian an American female missionary was apparently detained for a time by Japanese or Japanese-sponsored police.

(14) At Swatow, unwarranted interference by the Japanese with American firms engaged in the linen drawn work trade was reported and shipments were obstructed. American drawn work firms were unable to obtain their goods from the unoccupied territory as movement of merchandise between the occupied and unoccupied areas was prohibited on August 1. Operation of launches in the harbor, for business purposes, was prohibited. No imports, for personal or business use, were allowed without a permit or unless imported through the Japanese authorities.

(15) At Canton, the Japanese authorities imposed restrictions on the shipment of American oil products out of that city.

(16) At Yahungkiao, Hopeh, the Japanese military on September 8 demolished certain American missionary properties and appropriated the brick and tile therefrom.

#### E. RESTRICTION OF PERSONAL RIGHTS AND PRIVILEGES OF AMERICAN NATIONALS

(1) At Tsingtao, the Japanese authorities or Japanese-sponsored authorities issued instructions forbidding garages to furnish taxicab service to American citizens or to do automotive repair work for them. Other restrictions imposed by the Japanese authorities on American nationals there included, in addition to those previously listed, a prohibition against coal deliveries to American citizens, and the withholding of American Red Cross famine relief wheat from distribution to refugees by the International Relief Association. Chinese merchants were instructed not to sell food products to or engage in other transactions with Americans, if the products exceeded in value or the transactions involved more than twenty local dollars. Orders were reported to have been issued for the cancellation of American insurance policies.

(2) At Hwanghsien, Shantung, the Southern Baptist Mission was picketed. American citizens were not allowed to move their personal effects; the American members of the Mission were restricted to the immediate vicinity of the compound; and were prohibited from using their automobiles, as well as being prevented from traveling to Chefoo.

(3) At Tehsien, the American Board Mission compound was placed under constant guard, and the personnel thereof was severely restricted in movement. Similar conditions were reported as prevailing at Lintsing.

(4) At Canton, the Consul reported that American citizens on Hainan Island were confined to their quarters; that servants were threatened and intimidated; that buildings were sealed; and that churches and schools were not permitted to operate. Hospitals were subjected to rigid restrictions and shipments of medicine were not permitted. One American missionary was refused permission to leave Hainan and another was not permitted to return there.

(5) At Chefoo, an elderly American woman was forcibly inoculated against cholera on September 12 under orders of the Japanese-sponsored Epidemic Prevention Committee despite the fact that she was in possession of and exhibited a valid certificate issued by that committee.

(6) At Dairen, an American citizen who was about to leave for Shanghai en route to the United States was informed by the police authorities on the day of sailing that he would not be allowed to take with him any personal effects in excess of a total value of yen twenty without a special permit; that his application for such permit should list in detail every individual article; and that he could only take enough money with him to cover passage from Dairen to Shanghai. Another American, who was leaving for the United States on leave, was not permitted to take with him a ring, cuff links, watch, et cetera, until a local resident of Dairen guaranteed that the American in ques-

tion would bring the above-mentioned articles back with him when he returned.

(7) At Mukden, the Consul reported that the police at Fushun had arbitrarily, and without giving any reason, required the closing of three out stations of an American missionary organization. Chinese students in mission schools were intimidated. American missionaries at Fushun were required to obtain permits to go from one part of the town to another, and these permits were obtainable only on the first, eleventh and twenty-first of each month.

(8) At Peiping, a female American citizen was taken into custody at the railway station by Japanese plain-clothesmen after which she was taken to the gendarmerie headquarters where she was detained for nine hours. She was not permitted to telephone either to friends or to the American Embassy.

(9) At Swatow, permits were required for the shipment of household effects and packing cases were opened for inspection by the military authorities.

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#### ANNEX 10

DOCUMENT HANDED BY THE SECRETARY TO THE JAPANESE AMBASSADOR ON  
OCTOBER 2, 1941

[Strictly confidential.]

OCTOBER 2, 1941.

ORAL

Reference is made to the proposals of the Japanese Government communicated on September 6, 1941, by the Japanese Ambassador to the Secretary of State, and to statements relating thereto subsequently communicated to this Government by the Japanese Government.

Thoughtful study has been given to the communications to which reference is made, and in connection with that study careful review has been made of other communications previously received from the Japanese Government on the same subject. On the basis of this study observations are offered as follows:

The Government of the United States welcomed, as affording a possible opportunity for furthering the broad-gauge objectives and principles of a program of peace, the Japanese Government's suggestions made through its Ambassador here in the early part of August that there be held a meeting of the responsible heads of the Japanese Government and of the Government of the United States to discuss means for bringing about an adjustment of relations between the United States and Japan and that there be resumed the informal conversations which had been in progress between the two countries to ascertain whether there existed a basis for negotiations relative to a peaceful settlement covering the entire Pacific situation.

Accordingly, in the reply made by the President on August 17, 1941, to the Japanese Ambassador the view was expressed that such informal conversations would naturally envisage the working out of a progressive program attainable by peaceful means; that such a program would involve the application in the entire Pacific area of the principle of equality of commercial opportunity and treatment, thus making possible access by all countries to raw materials and to all other essential commodities, and there were described the advantages

which would flow to all countries, including Japan, from the adoption of such a program. In conclusion, it was stated that if the Japanese Government were in position to embark upon a peaceful program for the Pacific along the lines of the program and principles to which the United States is committed, this Government would be prepared to consider resumption of the informal exploratory discussions and would be glad to endeavor to arrange a suitable time and place to exchange views.

In the light of the broad purposes and fundamental principles which this Government holds, it was gratifying to the President and the Government of the United States to receive the message of the Prime Minister and the statement of the Government of Japan on August 28, 1941, containing statements expressing Japan's desire and intent to pursue courses of peace in harmony with the fundamental principles to which the people and Government of the United States are committed. In its statement the Japanese Government gave, with some qualifications, broad assurances of its peaceful intent, including a comprehensive assurance that the Japanese Government has no intention of using without provocation military force against any neighboring nation. The Japanese Government declared that it supported the program and principles which had been briefly outlined by the President not only as applicable to the Pacific area but also as a program for the entire world.

The Government of the United States, while desiring to proceed as rapidly as possible with consideration of arrangements for a meeting between the heads of state, felt it desirable, in order to assure that that meeting would accomplish the objectives in view, to clarify the interpretation of certain principles and the practical application thereof to concrete problems in the Pacific area. It has not been the purpose of this Government to enter into a discussion of details; this Government has felt, however, that the clarification sought would afford a means of expediting our effort to arrive at a meeting of minds.

On September 3, 1941, the President in giving reply to the Japanese Ambassador expressed the earnest desire of the Government of the United States to collaborate in efforts to make effective in practice the principles to which the Japanese Government made reference. The President reiterated the four principles regarded by this Government as the foundation upon which relations between nations should properly rest. Those principles are:

1. Respect for the territorial integrity and the sovereignty of each and all nations.
2. Support of the principle of noninterference in the internal affairs of other countries.
3. Support of the principle of equality, including equality of commercial opportunity.
4. Nondisturbance of the *status quo* in the Pacific except as the *status quo* may be altered by peaceful means.

The President pointed out that in order to bring about any satisfactory settlement of Pacific questions it was highly important to reach a community of view and a clear agreement upon certain points with respect to which fundamental differences of opinion between our two Governments had developed in the informal conversations; and the President requested an indication of the present attitude of the Japanese Government with regard to those fundamental questions.

On September 6, the Prime Minister of Japan in a conversation with the American Ambassador at Tokyo stated that he subscribed fully to the four principles above-mentioned.

The foregoing developments and assurances, together with other statements made by the Japanese Government, seemed to justify this Government in concluding that the Japanese Government might be expected to adhere to and to give practical application to a broad progressive program covering the entire Pacific area. It was, therefore, a source of disappointment to the Government of the United States that the proposals of the Japanese Government presented by the Japanese Ambassador on September 6, 1941, which the Japanese Government apparently intended should constitute a concrete basis for discussions, appeared to disclose divergence in the concepts of the two Governments. That is to say, those proposals and the subsequent explanatory statements made in regard thereto serve, in the opinion of this Government, to narrow and restrict not only the application of the principles upon which our informal conversations already referred to had been based but also the various assurances given by the Japanese Government of its desire to move along with the United States in putting into operation a broad program looking to the establishment and maintenance of peace and stability in the entire Pacific area.

As has already been said, the various broad assurances given by the Japanese Premier and the Japanese Government are highly gratifying. In putting forward its attitude of peaceful intent toward other nations, the Japanese Government qualified its assurances with certain phrases the need for which is not easily understood. It is difficult to conceive of there developing under present circumstances in any of the territories neighboring French Indochina, in Thailand or in the Soviet Union any aggressive threat or provocation to Japan. The inalienable right of self-defense is of course well recognized by all nations and there could arise in some minds a question as to just what the Japanese Government has in view in circumscribing its assurances of peaceful intent with what would seem to be unnecessary qualifying phrases.

In the informal conversations there was tentatively arrived at a formula in regard to economic policy (Section V of the draft understanding), which provided that Japanese activity and American activity in the Pacific area shall be carried on by peaceful means and in conformity with the principle of nondiscrimination in international commercial relations. In the Japanese Government's proposals of September 6 and in subsequent communications from the Japanese Government the commitments contained in that formula were restricted to the countries of the *Southwest* Pacific area (not the Pacific area as a whole). In reference to China, the Japanese Government states that it will respect the principle of non-discrimination, but the explanation given in regard to this point would seem to be open to the implication that the Japanese Government has in mind some limitation upon the application of this principle occasioned by reasons of Japan's geographical propinquity to China.

Obviously, it would not be likely to serve the purposes affirmed by the Japanese Government or by this Government if either the United States or Japan were to pursue one course or policy in certain areas while at the same time pursuing an opposite course or policy in other areas.

This Government has noted the views of the Japanese Government in support of its desire to station troops for an indeterminate period in certain areas of China. Entirely apart from the question of the reasons for such a proposal, the inclusion of such a provision in the proposed terms of a peaceful settlement between Japan and China at a time when Japan is in military occupation of large areas in China is open to certain objections. For example, when a country in military occupation of territory of another country proposes to the second country the continued stationing of troops of the first country in certain areas as a condition for a peaceful settlement, and thus for the withdrawal of the occupationary forces from other areas, such procedure would seem to be out of keeping with the progressive and enlightened courses and principles which were discussed in the informal conversations and thus would not, in the opinion of this Government, make for peace or offer prospects of stability.

It is believed that a clear-cut manifestation of Japan's intention in regard to the withdrawal of Japanese troops from China and French Indochina would be most helpful in making known—in particular to those who might be inclined to be critical—Japan's peaceful intentions and Japan's desire to follow courses calculated to establish a sound basis for future stability and progress in the Pacific area.

With reference to the attitude of each country toward the European war, this Government has noted with appreciation the further step taken by the Japanese Government to meet the difficulties inherent in this aspect of the relations between the two countries. It is believed that it would be helpful if the Japanese Government could give further study to the question of possible additional clarification of its position.

In the exchanges of views which have taken place between the two Governments in an effort to reach an agreement in principle upon fundamental questions in order to prepare the ground for the proposed meeting of the responsible chiefs of government, this Government has endeavored to make clear that what it envisages is a comprehensive program calling for the application uniformly to the entire Pacific area of liberal and progressive principles. From what the Japanese Government has so far indicated in regard to its purposes this Government derives the impression that the Japanese Government has in mind a program which would be circumscribed by the imposition of qualifications and exceptions to the actual application of those principles.

If this impression is correct, can the Japanese Government feel that a meeting between the responsible heads of government under such circumstances would be likely to contribute to the advancement of the high purposes which we have mutually had in mind?

As already stated, this Government welcomed the assurances contained in the statement of the Japanese Government which accompanied the Japanese Prime Minister's message to the President of the United States that the Japanese Government subscribed to the principles which have long been advocated by this Government as the only sound basis for stable international relations. This Government believes that renewed consideration of these fundamental principles may be helpful in our effort to seek a meeting of minds in regard to the essential questions on which we seek agreement and thus lay a firm foundation for a meeting between the responsible heads of the two

Governments. The subject of the meeting proposed by the Prime Minister and the objectives sought have engaged, and continue to engage, the close and active interest of the President of the United States, and it is the President's earnest hope that discussion of the fundamental questions may be so developed that such a meeting can be held. It is also the President's hope that the Japanese Government shares the conviction of this Government that, if the Governments of Japan and of the United States are resolved to give those principles practical and comprehensive application, the two Governments can work out a fundamental rehabilitation of the relations between the United States and Japan and contribute to the bringing about of a lasting peace with justice, equity, and order in the whole Pacific area.

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ANNEX 11

DOCUMENT HANDED TO THE SECRETARY OF STATE BY THE JAPANESE  
AMBASSADOR ON NOVEMBER 20, 1941

[Strictly confidential.]

1. Both the Governments of Japan and the United States undertake not to make any armed advancement into any of the regions in the Southeastern Asia and the Southern Pacific area excepting the part of French Indo-China where the Japanese troops are stationed at present.

2. The Japanese Government undertakes to withdraw its troops now stationed in French Indo-China upon either the restoration of peace between Japan and China or the establishment of an equitable peace in the Pacific area.

In the meantime the Government of Japan declares that it is prepared to remove its troops now stationed on the southern part of French Indo-China to the northern part of the said territory upon the conclusion of the present arrangement which shall later be embodied in the final agreement.

3. The Governments of Japan and the United States shall cooperate with a view to securing the acquisition of those goods and commodities which the two countries need in Netherlands East Indies.

4. The Governments of Japan and the United States mutually undertake to restore their commercial relations to those prevailing prior to the freezing of the assets.

The Government of the United States shall supply Japan a required quantity of oil.

5. The Government of the United States undertakes to refrain from such measures and actions as will be prejudicial to the endeavors for the restoration of general peace between Japan and China.

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ANNEX 12

DEPARTMENT OF STATE,  
*December 7, 1941.*  
No. 585.

For the press.

The text of the document handed by the Secretary of State to the Japanese Ambassador on November 26, 1941, which consists of two

parts, one an oral statement and one an outline of a proposed basis for agreement between the United States and Japan, reads as follows:

“ORAL

[“Strictly confidential.]

“NOVEMBER 26, 1941.

“The representatives of the Government of the United States and of the Government of Japan have been carrying on during the past several months informal and exploratory conversations for the purpose of arriving at a settlement if possible of questions relating to the entire Pacific area based upon the principles of peace, law and order and fair dealing among nations. These principles include the principle of inviolability of territorial integrity and sovereignty of each and all nations; the principle of noninterference in the internal affairs of other countries; the principle of equality, including equality of commercial opportunity and treatment; and the principle of reliance upon international cooperation and conciliation for the prevention and pacific settlement of controversies and for improvement of international conditions by peaceful methods and processes.

“It is believed that in our discussions some progress has been made in reference to the general principles which constitute the basis of a peaceful settlement covering the entire Pacific area. Recently the Japanese Ambassador has stated that the Japanese Government is desirous of continuing the conversations directed toward a comprehensive and peaceful settlement in the Pacific area; that it would be helpful toward creating an atmosphere favorable to the successful outcome of the conversations if a temporary *modus vivendi* could be agreed upon to be in effect while the conversations looking to a peaceful settlement in the Pacific were continuing. On November 20 the Japanese Ambassador communicated to the Secretary of State proposals in regard to temporary measures to be taken respectively by the Government of Japan and by the Government of the United States, which measures are understood to have been designed to accomplish the purposes above indicated.

“The Government of the United States most earnestly desires to contribute to the promotion and maintenance of peace and stability in the Pacific area, and to afford every opportunity for the continuance of discussions with the Japanese Government directed toward working out a broad-gauge program of peace throughout the Pacific area. The proposals which were presented by the Japanese Ambassador on November 20 contain some features which, in the opinion of this Government, conflict with the fundamental principles which form a part of the general settlement under consideration and to which each Government has declared that it is committed. The Government of the United States believes that the adoption of such proposals would not be likely to contribute to the ultimate objectives of ensuring peace under law, order and justice in the Pacific area, and it suggests that further effort be made to resolve our divergences of views in regard to the practical application of the fundamental principles already mentioned.

“With this object in view the Government of the United States offers for the consideration of the Japanese Government a plan of a broad but simple settlement covering the entire Pacific area as one practical exemplification of a program which this Government envisages as something to be worked out during our further conversations.

"The plan therein suggested represents an effort to bridge the gap between our draft of June 21, 1941, and the Japanese draft of September 25 by making a new approach to the essential problems underlying a comprehensive Pacific settlement. This plan contains provisions dealing with the practical application of the fundamental principles which we have agreed in our conversations constitute the only sound basis for worth-while international relations. We hope that in this way progress toward reaching a meeting of minds between our two Governments may be expedited."

[*Strictly confidential, tentative and without commitment.*]

NOVEMBER 26, 1941.

OUTLINE OF PROPOSED BASIS FOR AGREEMENT BETWEEN THE  
UNITED STATES AND JAPAN

Section I

*Draft Mutual Declaration of Policy*

"The Government of the United States and the Government of Japan both being solicitous for the peace of the Pacific affirm that their national policies are directed toward lasting and extensive peace throughout the Pacific area, that they have no territorial designs in that area, that they have no intention of threatening other countries or of using military force aggressively against any neighboring nation, and that, accordingly, in their national policies they will actively support and give practical application to the following fundamental principles upon which their relations with each other and with all other governments are based:

"(1) The principle of inviolability of territorial integrity and sovereignty of each and all nations.

"(2) The principle of noninterference in the internal affairs of other countries.

"(3) The principle of equality, including equality of commercial opportunity and treatment.

"(4) The principle of reliance upon international cooperation and conciliation for the prevention and pacific settlement of controversies and for improvement of international conditions by peaceful methods and processes.

"The Government of Japan and the Government of the United States have agreed that, toward eliminating chronic political instability, preventing recurrent economic collapse, and providing a basis for peace, they will actively support and practically apply the following principles in their economic relations with each other and with other nations and peoples:

"(1) The principle of nondiscrimination in international commercial relations.

"(2) The principle of international economic cooperation and abolition of extreme nationalism as expressed in excessive trade restrictions.

"(3) The principle of nondiscriminatory access by all nations to raw-material supplies.

"(4) The principle of full protection of the interests of consuming countries and populations as regards the operation of international commodity agreements.

"(5) The principle of establishment of such institutions and arrangements of international finance as may lend aid to the essential enterprises and the continuous development of all countries and may permit payments through processes of trade consonant with the welfare of all countries.

"Section II

*"Steps to be Taken by the Government of the United States and by the Government of Japan*

"The Government of the United States and the Government of Japan propose to take steps as follows:

"1. The Government of the United States and the Government of Japan will endeavor to conclude a multilateral nonaggression pact among the British Empire, China, Japan, the Netherlands, the Soviet Union, Thailand, and the United States.

"2. Both Governments will endeavor to conclude among the American, British, Chinese, Japanese, the Netherland, and Thai Governments an agreement whereunder each of the Governments would pledge itself to respect the territorial integrity of French Indochina and, in the event that there should develop a threat to the territorial integrity of Indochina, to enter into immediate consultation with a view to taking such measures as may be deemed necessary and advisable to meet the threat in question. Such agreement would provide also that each of the Governments party to the agreement would not seek or accept preferential treatment in its trade or economic relations with Indochina and would use its influence to obtain for each of the signatories equality of treatment in trade and commerce with French Indochina.

"3. The Government of Japan will withdraw all military, naval, air and police forces from China and from Indochina.

"4. The Government of the United States and the Government of Japan will not support—militarily, politically, economically—any government or regime in China other than the National Government of the Republic of China with capital temporarily at Chungking.

"5. Both Governments will give up all extraterritorial rights in China, including rights and interests in and with regard to international settlements and concessions, and rights under the Boxer Protocol of 1901.

"Both Governments will endeavor to obtain the agreement of the British and other governments to give up extraterritorial rights in China, including rights in international settlements and in concessions and under the Boxer Protocol of 1901.

"6. The Government of the United States and the Government of Japan will enter into negotiations for the conclusion between the United States and Japan of a trade agreement, based upon reciprocal most-favored-nation treatment and reduction of trade barriers by both countries, including an undertaking by the United States to bind raw silk on the free list.

"7. The Government of the United States and the Government of Japan will, respectively, remove the freezing restrictions on Japanese funds in the United States and on American funds in Japan.

"8. Both Governments will agree upon a plan for the stabilization of the dollar-yen rate, with the allocation of funds adequate for this purpose, half to be supplied by Japan and half by the United States.

"9. Both Governments will agree that no agreement which either has concluded with any third power or powers shall be interpreted by it in such a way as to conflict with the fundamental purpose of this agreement, the establishment and preservation of peace throughout the Pacific area.

"10. Both Governments will use their influence to cause other governments to adhere to and to give practical application to the basic political and economic principles set forth in this agreement."

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ANNEX 13

MEMORANDUM ADDRESSED BY THE PRESIDENT TO THE SECRETARY AND THE UNDER SECRETARY OF STATE, COPY OF WHICH, UNDER AUTHORIZATION OF THE PRESIDENT, WAS READ AND HANDED BY THE UNDER SECRETARY OF STATE TO THE JAPANESE AMBASSADOR ON DECEMBER 2, 1941

"I have received reports during the past days of continuing Japanese troop movements to southern Indochina. These reports indicate a very rapid and material increase in the forces of all kinds stationed by Japan in Indochina.

"It was my clear understanding that by the terms of the agreement—and there is no present need to discuss the nature of that agreement—between Japan and the French Government at Vichy that the total number of Japanese forces permitted by the terms of that agreement to be stationed in Indochina was very considerably less than the total amount of the forces already there.

"The stationing of these increased Japanese forces in Indochina would seem to imply the utilization of these forces by Japan for purposes of further aggression, since no such number of forces could possibly be required for the policing of that region. Such aggression could conceivably be against the Philippine Islands; against the many islands of the East Indies; against Burma; against Malaya or either through coercion or through the actual use of force for the purpose of undertaking the occupation of Thailand. Such new aggression would, of course, be additional to the acts of aggression already undertaken against China, our attitude toward which is well known, and has been repeatedly stated to the Japanese Government.

"Please be good enough to request the Japanese Ambassador and Ambassador Kurusu to inquire at once of the Japanese Government what the actual reasons may be for the steps already taken, and what I am to consider is the policy of the Japanese Government as demonstrated by this recent and rapid concentration of troops in Indochina. This Government has seen in the last few years in Europe a policy on the part of the German Government which has involved a constant and steady encroachment upon the territory and rights of free and independent peoples through the utilization of military steps of the same character. It is for that reason and because of the broad problem of American defense that I should like to know the intention of the Japanese Government."

(COPY; FE:HES)

## ANNEX 14

DOCUMENT HANDED TO THE SECRETARY OF STATE BY THE JAPANESE  
AMBASSADOR ON DECEMBER 5, 1941

Reference is made to your inquiry about the intention of the Japanese Government with regard to the reported movements of Japanese troops in French Indochina. Under instructions from Tokyo, I wish to inform you as follows:

As Chinese troops have recently shown frequent signs of movements along the northern frontier of French Indochina bordering on China, Japanese troops, with the object of mainly taking precautionary measures, have been reinforced to a certain extent in the northern part of French Indochina. As a natural sequence of this step, certain movements have been made among the troops stationed in the southern part of the said territory. It seems that an exaggerated report has been made of these movements. It should be added that no measure has been taken on the part of the Japanese Government that may transgress the stipulations of the Protocol of Joint Defense between Japan and France.

## ANNEX 15

For the press. Immediate release. December 7, 1941.

The following message from the President to the Emperor of Japan was dispatched Saturday afternoon and public announcement was made at that time that this message to the Emperor had been sent by the President:

"Almost a century ago the President of the United States addressed to the Emperor of Japan a message extending an offer of friendship of the people of the United States to the people of Japan. That offer was accepted, and in the long period of unbroken peace and friendship which has followed, our respective nations, through the virtues of their peoples and the wisdom of their rulers have prospered and have substantially helped humanity.

"Only in situations of extraordinary importance to our two countries need I address to Your Majesty messages on matters of state. I feel I should now so address you because of the deep and far-reaching emergency which appears to be in formation.

"Developments are occurring in the Pacific area which threaten to deprive each of our nations and all humanity of the beneficial influence of the long peace between our two countries. Those developments contain tragic possibilities.

"The people of the United States, believing in peace and in the right of nations to live and let live, have eagerly watched the conversations between our two Governments during these past months. We have hoped for a termination of the present conflict between Japan and China. We have hoped that a peace of the Pacific could be consummated in such a way that nationalities of many diverse peoples could exist side by side without fear of invasion; that unbearable burdens of armaments could be lifted for them all; and that all peoples would resume commerce without discrimination against or in favor of any nation.

"I am certain that it will be clear to Your Majesty, as it is to me, that in seeking these great objectives both Japan and the United States should agree to eliminate any form of military threat. This seemed essential to the attainment of the high objectives.

"More than a year ago Your Majesty's Government concluded an agreement with the Vichy Government by which five or six thousand Japanese troops were permitted to enter into Northern French Indo-China for the protection of Japanese troops which were operating against China farther north. And this Spring and Summer the Vichy Government permitted further Japanese military forces to enter into Southern French Indo-China for the common defense of French Indo-China. I think I am correct in saying that no attack has been made upon Indo-China, nor that any has been contemplated.

"During the past few weeks it has become clear to the world that Japanese military, naval, and air forces have been sent to Southern Indo-China in such large numbers as to create a reasonable doubt on the part of other nations that this continuing concentration in Indo-China is not defensive in its character.

"Because these continuing concentrations in Indo-China have reached such large proportions and because they extend now to the southeast and the southwest corners of that Peninsula, it is only reasonable that the people of the Philippines, of the hundreds of Islands of the East Indies, of Malaya and of Thailand itself are asking themselves whether these forces of Japan are preparing or intending to make attack in one or more of these many directions.

"I am sure that Your Majesty will understand that the fear of all these peoples is a legitimate fear inasmuch as it involves their peace and their national existence. I am sure that Your Majesty will understand why the people of the United States in such large numbers look askance at the establishment of military, naval, and air bases manned and equipped so greatly as to constitute armed forces capable of measures of offense.

"It is clear that a continuance of such a situation is unthinkable.

"None of the peoples whom I have spoken of above can sit either indefinitely or permanently on a keg of dynamite.

"There is absolutely no thought on the part of the United States of invading Indo-China if every Japanese soldier or sailor were to be withdrawn therefrom.

"I think that we can obtain the same assurance from the Governments of the East Indies, the Governments of Malaya and the Government of Thailand. I would even undertake to ask for the same assurance on the part of the Government of China. Thus a withdrawal of the Japanese forces from Indo-China would result in the assurance of peace throughout the whole of the South Pacific area.

"I address myself to Your Majesty at this moment in the fervent hope that Your Majesty may, as I am doing, give thought in this definite emergency to ways of dispelling the dark clouds. I am confident that both of us, for the sake of the peoples not only of our own great countries but for the sake of humanity in neighboring territories, have a sacred duty to restore traditional amity and prevent further death and destruction in the world."

## ANNEX 16

DEPARTMENT OF STATE,  
*December 7, 1941.*  
No. 587.

For the press.

The text of a document handed by the Japanese Ambassador to the Secretary of State at 2:15 p. m., December 7, 1941, reads as follows:

**"MEMORANDUM**

"1. The Government of Japan, prompted by a genuine desire to come to an amicable understanding with the Government of the United States in order that the two countries by their joint efforts may secure the peace of the Pacific Area and thereby contribute toward the realization of world peace, has continued negotiations with the utmost sincerity since April last with the Government of the United States regarding the adjustment and advancement of Japanese-American relations and the stabilization of the Pacific Area.

"The Japanese Government has the honor to state frankly its views concerning the claims the American Government has persistently maintained as well as the measures the United States and Great Britain have taken toward Japan during these eight months.

"2. It is the immutable policy of the Japanese Government to insure the stability of East Asia and to promote world peace and thereby to enable all nations to find each its proper place in the world.

"Ever since China Affair broke out, owing to the failure on the part of China to comprehend Japan's true intentions, the Japanese Government has striven for the restoration of peace; and it has consistently exerted its best efforts to prevent the extension of warlike disturbances. It was also to that end that in September last year Japan concluded the Tripartite Pact with Germany and Italy.

"However, both the United States and Great Britain have resorted to every possible measure to assist the Chungking régime so as to obstruct the establishment of a general peace between Japan and China, interfering with Japan's constructive endeavours toward the stabilization of East Asia. Exerting pressure on the Netherlands East Indies, or menacing French Indo-China, they have attempted to frustrate Japan's aspiration to the ideal of common prosperity in cooperation with these regions. Furthermore, when Japan in accordance with its protocol with France took measures of joint defence of French Indo-China, both American and British Governments, willfully misinterpreting it as a threat to their own possessions, and inducing the Netherlands Government to follow suit, they enforced the assets-freezing order, thus severing economic relations with Japan. While manifesting thus an obviously hostile attitude, these countries have strengthened their military preparations perfecting an encirclement of Japan, and have brought about a situation which endangers the very existence of the Empire.

"Nevertheless, to facilitate a speedy settlement, the Premier of Japan proposed, in August last, to meet the President of the United States for a discussion of important problems between the two countries covering the entire Pacific area. However, the American Gov-

ernment, while accepting in principle the Japanese proposal, insisted that the meeting should take place after an agreement of view had been reached on fundamental and essential questions.

"3. Subsequently, on September 25th the Japanese Government submitted a proposal based on the formula proposed by the American Government, taking fully into consideration past American claims and also incorporating Japanese views. Repeated discussions proved of no avail in producing readily an agreement of view. The present cabinet, therefore, submitted a revised proposal, moderating still further the Japanese claims regarding the principal points of difficulty in the negotiation and endeavoured strenuously to reach a settlement. But the American Government, adhering steadfastly to its original assertions, failed to display in the slightest degree a spirit of conciliation. The negotiation made no progress.

"Therefore, the Japanese Government, with a view to doing its utmost for averting a crisis in Japanese-American relations, submitted on November 20th still another proposal in order to arrive at an equitable solution of the more essential and urgent questions which, simplifying its previous proposal, stipulated the following points:

"(1) The Governments of Japan and the United States undertake not to dispatch armed forces into any of the regions, excepting French Indo-China, in the Southeastern Asia and the Southern Pacific area.

"(2) Both Governments shall cooperate with the view to securing the acquisition in the Netherlands East Indies of those goods and commodities of which the two countries are in need.

"(3) Both Governments mutually undertake to restore commercial relations to those prevailing prior to the freezing of assets.

"The Government of the United States shall supply Japan the required quantity of oil.

"(4) The Government of the United States undertakes not to resort to measures and actions prejudicial to the endeavours for the restoration of general peace between Japan and China.

"(5) The Japanese Government undertakes to withdraw troops now stationed in French Indo-China upon either the restoration of peace between Japan and China or the establishment of an equitable peace in the Pacific Area; and it is prepared to remove the Japanese troops in the southern part of French Indo-China to the northern part upon the conclusion of the present agreement.

"As regards China, the Japanese Government, while expressing its readiness to accept the offer of the President of the United States to act as "introducer" of peace between Japan and China as was previously suggested, asked for an undertaking on the part of the United States to do nothing prejudicial to the restoration of Sino-Japanese peace when the two parties have commenced direct negotiations.

"The American Government not only rejected the above-mentioned new proposal, but made known its intention to continue its aid to Chiang Kai-shek; and in spite of its suggestion mentioned above, withdrew the offer of the President to act as so-called "introducer" of peace between Japan and China, pleading that time was not yet ripe for it. Finally on November 26th, in an attitude to impose upon the Japanese Government those principles it has persistently maintained, the American Government made a proposal totally ignoring Japanese

claims, which is a source of profound regret to the Japanese Government.

"4. From the beginning of the present negotiation the Japanese Government has always maintained an attitude of fairness and moderation, and did its best to reach a settlement, for which it made all possible concessions often in spite of great difficulties. As for the China question which constitutes an important subject of the negotiation, the Japanese Government showed a most conciliatory attitude. As for the principle of nondiscrimination in international commerce, advocated by the American Government, the Japanese Government expressed its desire to see the said principle applied throughout the world, and declared that along with the actual practice of this principle in the world, the Japanese Government would endeavour to apply the same in the Pacific area including China, and made it clear that Japan had no intention of excluding from China economic activities of third powers pursued on an equitable basis. Furthermore, as regards the question of withdrawing troops from French Indo-China, the Japanese Government even volunteered, as mentioned above, to carry out an immediate evacuation of troops from Southern French Indo-China as a measure of easing the situation.

"It is presumed that the spirit of conciliation exhibited to the utmost degree by the Japanese Government in all these matters is fully appreciated by the American Government.

"On the other hand, the American Government, always holding fast to theories in disregard of realities, and refusing to yield an inch on its impractical principles, caused undue delay in the negotiation. It is difficult to understand this attitude of the American Government, and the Japanese Government desires to call the attention of the American Government especially to the following points:

"1. The American Government advocates in the name of world peace those principles favorable to it and urges upon the Japanese Government the acceptance thereof. The peace of the world may be brought about only by discovering a mutually acceptable formula through recognition of the reality of the situation and mutual appreciation of one another's position. An attitude such as ignores realities and imposes one's selfish views upon others will scarcely serve the purpose of facilitating the consummation of negotiations.

"Of the various principles put forward by the American Government as a basis of the Japanese-American Agreement, there are some which the Japanese Government is ready to accept in principle, but in view of the world's actual condition it seems only a utopian ideal on the part of the American Government to attempt to force their immediate adoption.

"Again, the proposal to conclude a multilateral non-aggression pact between Japan, United States, Great Britain, China, the Soviet Union, the Netherlands and Thailand, which is patterned after the old concept of collective security, is far removed from the realities of East Asia.

"2. The American proposal contained a stipulation which states— 'Both Governments will agree that no agreement, which either has concluded with any third power or powers, shall be interpreted by it in such a way as to conflict with the fundamental purpose of this agreement, the establishment and preservation of peace throughout

the Pacific area.' It is presumed that the above provision has been proposed with a view to restrain Japan from fulfilling its obligations under the Tripartite Pact when the United States participates in the war in Europe, and, as such, it cannot be accepted by the Japanese Government.

"The American Government, obsessed with its own views and opinions, may be said to be scheming for the extension of the war. While it seeks, on the one hand, to secure its rear by stabilizing the Pacific Area, it is engaged on the other hand, in aiding Great Britain and preparing to attack, in the name of self-defense, Germany and Italy, two Powers that are striving to establish a new order in Europe. Such a policy is totally at variance with the many principles upon which the American Government proposes to found the stability of the Pacific Area through peaceful means.

"3. Whereas the American Government, under the principles it rigidly upholds, objects to settle international issues through military pressure, it is exercising in conjunction with Great Britain and other nations pressure by economic power. Recourse to such pressure as a means of dealing with international relations should be condemned as it is at times more inhumane than military pressure.

"4. It is impossible not to reach the conclusion that the American Government desires to maintain and strengthen, in coalition with Great Britain and other Powers, its dominant position it has hitherto occupied not only in China but in other areas of East Asia. It is a fact of history that the countries of East Asia for the past hundred years or more have been compelled to observe the status quo under the Anglo-American policy of imperialistic exploitation and to sacrifice themselves to the prosperity of the two nations. The Japanese Government cannot tolerate the perpetuation of such a situation since it directly runs counter to Japan's fundamental policy to enable all nations to enjoy each its proper place in the world.

"The stipulation proposed by the American Government relative to French Indo-China is a good exemplification of the above-mentioned American policy. Thus the six countries—Japan, the United States, Great Britain, the Netherlands, China, and Thailand—excepting France, should undertake among themselves to respect the territorial integrity and sovereignty of French Indo-China and equality of treatment in trade and commerce would be tantamount to placing that territory under the joint guarantee of the Governments of those six countries. Apart from the fact that such a proposal totally ignores the position of France, it is unacceptable to the Japanese Government in that such an arrangement cannot but be considered as an extension to French Indo-China of a system similar to the Nine Power Treaty structure which is the chief factor responsible for the present predicament of East Asia.

"5. All the items demanded of Japan by the American Government regarding China such as wholesale evacuation of troops or unconditional application of the principle of nondiscrimination in international commerce ignored the actual conditions of China, and are calculated to destroy Japan's position as the stabilizing factor of East Asia. The attitude of the American Government in demanding Japan not to support militarily, politically, or economically any régime

other than the régime at Chungking, disregarding thereby the existence of the Nanking Government, shatters the very basis of the present negotiation. This demand of the American Government falling, as it does, in line with its above-mentioned refusal to cease from aiding the Chungking régime, demonstrates clearly the intention of the American Government to obstruct the restoration of normal relations between Japan and China and the return of peace to East Asia.

"5. In brief, the American proposal contains certain acceptable items such as those concerning commerce, including the conclusion of a trade agreement, mutual removal of the freezing restrictions, and stabilization of yen and dollar exchange, or the abolition of extra-territorial rights in China. On the other hand, however, the proposal in question ignores Japan's sacrifices in the four years of the China Affair, menaces the Empire's existence itself and disparages its honour and prestige. Therefore, viewed in its entirety, the Japanese Government regrets that it cannot accept the proposal as a basis of negotiation.

"6. The Japanese Government, in its desire for an early conclusion of the negotiation, proposed simultaneously with the conclusion of the Japanese-American negotiation, agreements to be signed with Great Britain and other interested countries. The proposal was accepted by the American Government. However, since the American Government has made the proposal of November 26th as a result of frequent consultation with Great Britain, Australia, the Netherlands and Chungking, and presumably by catering to the wishes of the Chungking régime in the questions of China, it must be concluded that all these countries are at one with the United States in ignoring Japan's position.

"7. Obviously it is the intention of the American Government to conspire with Great Britain and other countries to obstruct Japan's efforts toward the establishment of peace through the creation of a new order in East Asia, and especially to preserve Anglo-American rights and interests by keeping Japan and China at war. This intention has been revealed clearly during the course of the present negotiation. Thus, the earnest hope of the Japanese Government to adjust Japanese-American relations and to preserve and promote the peace of the Pacific through cooperation with the American Government has finally been lost.

"The Japanese Government regrets to have to notify hereby the American Government that in view of the attitude of the American Government it cannot but consider that it is impossible to reach an agreement through further negotiations.

"DECEMBER 7, 1941."

