

Paper No. 839  
Disposes of  
Paper No. 805

INTERNATIONAL MILITARY TRIBUNAL FOR THE FAR EAST  
SITTING AT TOKYO, JAPAN

Case No. 1

THE UNITED STATES OF AMERICA; et al	)	ORDER:
	)	GRANTING WITHDRAWAL FROM
- vs -	)	THE FILES OF THE TRIBUNAL
	)	OF COURT EXHIBIT NO. 2319
ARAKI, Sadao; et al	)	

This matter coming on to be heard this 9th day of April, 1947, before The Honorable Sir William Webb, President of the Tribunal, upon the application of the defense, for an order of the Tribunal granting leave to withdraw from the office of the Tribunal the original documents comprising Court Exhibit No. 2319, heretofore presented and marked, for identification only, and from which document excerpts have been offered and received in evidence and identified as Court Exhibits Nos. 2319-A, 2319-B, 2319-C, 2319-D, 2319-E, 2319-F, 2319-G, and 2319-H respectively, which said original document, to wit: Court Exhibit No. 2319, is more particularly described as follows:

A book entitled  
"Collection of Treaties 1922  
Volume No. 1  
Conference at Washington 1921-1922  
Treaties and Resolutions  
Appendices"

said book being printed in French, English and Japanese, the withdrawal of said original document being for the purpose of

returning the same forthwith to the source from which it was obtained, to wit: The Japanese Foreign Office in Tokyo, Japan; and

It appearing to the Tribunal that the withdrawal of this document, Court Exhibit No. 2319 (for identification only) as requested will in no wise prejudice the rights of the Prosecution or of the accused, or any of them, and no substantial injustice will result therefrom to the said Prosecution or the said accused; and

It further appearing to the Tribunal that the Prosecution has consented to the granting of this application and the withdrawal of said exhibit; and

The Tribunal hearing the arguments of counsel, and being fully advised in the premises, it is the decision of the Tribunal that said application be granted as prayed; and it is

ORDERED: That said application be and it is hereby granted as prayed; and it is further

ORDERED: That Court Exhibit No. 2319 be withdrawn from the files of the Tribunal forthwith and returned to the source from which it was obtained, under the express term and condition, however, that said document shall be returned to the Tribunal, upon request, in the event either the Tribunal, the Prosecution, or the Defense should desire it for the purpose of this trial; and it is further

ORDERED: That the excerpts from Court Exhibit No. 2319, to wit: Court Exhibits Nos. 2319-A to 2319-H, both

inclusive, shall remain in the files and records of the Tribunal, and that this order in no respect affects their present status.

Dated at Tokyo, Japan, this 14 April 1947.

BY THE TRIBUNAL:

/s/ W. F. Webb  
PRESIDENT