

INTERNATIONAL MILITARY TRIBUNAL FOR THE FAR EAST

Sitting at Tokyo, Japan

Case No. I

UNITED STATES OF AMERICA, et al

v.

ARAKI, Sadao, et al.

APPLICATION ON BEHALF OF ITAGAKI, Seishiro,
FOR AN ORDER FOR PRODUCTION OF WITNESSES

Comes now the accused herein ITAGAKI, Seishiro, and makes known to this Tribunal that he is desirous of obtaining from this Tribunal an order and process for the production of the following named persons as witnesses in his behalf at this trial.

KAGESA, Sadaaki: This witness' nationality is Japanese. His address is Daichi National Hospital Wakamatsu-Cho, Ushigome-Ku, Tokyo, Japan

A Major General in the Japanese Army, he was the Chief Military adviser to the Nankin Government at the time Itagaki was Minister of War.

The fact concerning which this witness can give testimony are, that the basic principle of the Japanese Government's policy respecting settling the China incident was a realization of the good neighbor policy, with recognition of China's sovereignty, mutual help, and equalization of rights; that there was no intention on the part of Japan to carry on military, economical or political domination for any longer time than was necessary to accomplish realization of such policy; that no puppet governments were created in China, that many things seized during the period, including industrial plants, were returned.

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

TADA, Shun: This witness' nationality is Japanese. His address is No. 567, Kawane, Funakata Machi, Tateyama City, Chiba Prefecture, Japan.

The Commander of Tientsin Contingent Force; Vice Chief of General Staff in 1937; Commander of North China Expeditionary Force 1939-1946.

The facts concerning which this witness can give testimony are: that the Kwantung Army's interest, policy and concern in respect to North China was to the end and for the purpose of maintaining peace in the adjoining area of Manchukuo; that the clash between Japanese and Russian forces at Chankunfen was due to ambiguity concerning the boundary line involved and that the Japanese endeavored to localize the controversy and possessed no aggressive purpose; and that the NanKin Government under Wang-Ching Wei was not a puppet government.

The testimony would be relevant in that it disputes the prosecution's claim and evidence in support thereof that it was all part of a plan to wage aggressive warfare against China and Russia.

WHEREFORE, your petitioner prays that appropriate order be entered herin for the issuance of process ad testificandum for the production of said witnesses at this trial.

The precise date upon which this witnesses' testimony will be given is not known to this petitioner, but he states that his presence for the purpose of interview and consultation is current.

ITAGAKI, Seishiro

By _____
Yamada, Honzo

Floyd J. Mattice
His Counsel