

Ex 2387

Translated by  
Defense Language Branch

(Record of the Foreign Office, Foreign Land Regulation;  
Miscellaneous, China, G 3101 -- 1)  
Confidential No. 159.

April 24, the fourth Year of Showa, (1929) at TIELI

From : KONDO, Shinichi, Consul at TIELIN (Manchuria).  
To : BARON TANAKA, Giichi, Foreign Minister.  
Subject : On the Secret Order issued by the Chinese Authorities.  
Strictly prohibiting the Lease of House-sites to the  
Japanese.

As already stated in our Report, Confidential No. 150, dated April 20, the Governor of TIELIN-HSIEN (TH hsien is a prefectural unite of local government) issued a proclamation prohibiting private lease or sale of land to a foreigner, under the instruction of the Provincial Government which was transmitted by the circular issued by the General Headquarter of Border Garrison. Having kept a watch on the matter, we found that it was probably a fact that the Prefectural Government issued a secret circular to all civil organs, large and small, to ensure thorough enforcement of the previous proclamation. It says that all leases of house-sites to Japanese residents outside the S.M. Rly. Zone at TIELIN shall be strictly prohibited and those in existence shall be recovered as soon as

possible with the view to prevent possible disputes, any act contrary to the regulation being severely punished.

A comparatively large number of Japanese have leased land outside the Railway Zone, namely, in the Open-port Quarter and within the City-wall, some of them being confronted with the expiration of the terms during this year. In such a time and circumstance, it is rather difficult to foresee what an attitude the Chinese landlords might take in the future, but I will take a firm stand and timely action in making a strong protest against such an anti-Japanese action in order to check further undesirable effect whenever it might happen without justifiable reasons in the town adjoining to the railway zone. Judging from present status of our country men here, I am afraid that the Chinese side would take advantage of this opportunity in trying to recover the land when the term of lease expires this summer, and rather complicated questions might arise in succession. Some Japanese may be delinquent in payment of rent, while others may be in default of obligations, owing to the depression which made them difficult to meet their debts owed to the Chinese during the boom in the past.

Such cases as non-payment of rent pending for many years, will supply, I fear, good excuse to the Chinese side to recover the land and unpleasant circumstances must be taken into consideration when we start negotiations on the questions arising from the failure of payment. The Chinese side seems to be taking a cautious attitude in avoiding to come in contact with Japanese, and the Chinese officials are guiding the people on this line.

Def. Doc. # 481

Accordingly the Chinese official attitude is expected to be more meddlesome not only in the lease of house or lands but also in the general commercial transactions.

Reporting with respect.

(Copies sent to Peiping and Mukden)

Def. Doc. "431

Def. Doc. No. 431

C E R T I F I C A T E

Statement of Source and Authenticity

I, KAWASHI, Kaoru, Chief of the Archives Section, Japanese Foreign Office, hereby certify that the document hereto attached in Japanese consisting of 2 pages and entitled "Note No. 159 from Kondo, Consul at Tientsin, to Tanaka, Foreign Minister, dated April 24, 1929" is an exact and true copy of an official document of the Japanese Foreign Office.

Certified at Tokyo,

on this 27th day of January, 1947

/s/ K. Kawashi  
Signature of Official

Witness: Nagaharu Udo

Translation Certificate

I, \_\_\_\_\_, of the Defense, hereby certify that the attached translation of \_\_\_\_\_ is, to the best of my knowledge and belief, a correct translation and is as near as possible to the meaning of the original document.

Tokyo, Japan,

Date \_\_\_\_\_

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Translation Certificate

I, Toshio Okamoto, of the Defense, hereby certify that the attached translation of Note No. 159 from Kondo, Chief at Tichling, to Tanaka, Foreign Minister, dated April 24, 1929 is, to the best of my knowledge and belief, a correct translation and is as near as possible to the meaning of the original document.

/s/ Toshio Okamoto

Tokyo, Japan

Date 17 March 1947

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Def. Doc. # 451

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(Copies sent to Peiping and Mukden)

Def. Doc. # 41

Def. Doc. No. 431

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Certified at Tokyo,

on this 27th day of January, 1947

/s/ H. Hayashi  
Signature of Official

Witness: Nagaharu Udo

Translation Certificate

I, \_\_\_\_\_, of the Defense, hereby certify that the attached translation of \_\_\_\_\_ is, to the best of my knowledge and belief, a correct translation and is as near as possible to the meaning of the original document.

Tokyo, Japan,

Date \_\_\_\_\_

DEF 100 /r 481

Translation Certificate

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/S/ Toshio Okamoto

Tokyo, Japan

Date 17 March 1947

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Ex 2387

(外務省記録外國土地法關係雜件中國ノ部 G 3 1  
0 1 1 1)

No. 481

機密第一五九號

昭和四年四月廿四日

在鐵嶺

領事 近 藤 信 一 印

外務大臣野村 田 中 義 一 殿

支那官憲ノ邦人ニ對スル家屋敷地租

與嚴禁ノ密令ニ關スル件

外國人ニ對シ土地ノ私租私賣禁止ニ關スル邊防總司  
令部ヨリノ移牒ニヨリ省政府ヨリ各縣知事ニ轉達セ  
ル結果鐵嶺縣知事ヨリ更ラニ布告セル佐ニ關シテハ  
四月二十日付機密第一五〇號報告ノ通りノ處其後注  
意中ノ處數日前縣政府ハ更ラニ民間ニ徹底セシムル  
爲カ當附屬地外在住邦人ニ對スル家屋敷地ノ租與萬  
ヲ嚴禁シ既往已ニ租與セルモノトイヘドモ此際可成  
之カ回收ニ努メ以テ紛争ヲ防止スベシ自今本令ヲ便  
スモノハ嚴罰ニ處ス旨ノ密旨ヲ民間大小各機關ニ通  
達セル模様ナル處當地附屬地外即チ商埠地及城內ニ

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於テ邦人ノ租地セル者和奮多故ニ上リ殊ニ本年申租  
地期限満了ノ同モアリテ時節新ル密令ヲ受ケタル  
支那人地主カ今后来シテ如何ナル態度ニ出テ來ルヤ  
逆算シ難キモ我カ附屬地ニ近キ市街地ニ於テ故ナク  
新カル排日的行爲ニ出スルコトアラハ嚴重抗議ノ上系  
ヲ遣ハスコトナキ様適電ナル旨置ニ出スル筈ナルモ  
一面邦人ノ欣慰ヲ感ルニ本年夏期ニ於テ租地期限満  
了ノモノニ對シテハ支那側ニ於テ必スヤ此際會ニ乘  
シテ同取ニ努ムヘク勞々相奮メンドウナル交渉ヲ果  
實ニルコトト見ラレ中ニハ邦人ニシテ租地代ノ滞納  
若シクハ往年好景氣時代以降暴棄上ニ於テ支那人ニ  
對シ各處ノ憤慨ヲ實ヒ其象不景氣ニタタラレ債務不  
履行ノママ今日ニ至レル邦人モアリ之等ハ連年懸案  
ノママ解決ニ至ラサル状況ニアルカ租地滞納者ノ如  
キハ支那側ニ同取口實ノ好資料トナリ易ク遣種邦人  
ノ暴行不履行ニ起因スル交渉案件ニ對シテハ接渉上  
面白カラス内面事情モアリ支那側ニ於テモ本邦人ニ  
對シテハ極力強硬的態度ニ出テ可成對邦人關係ヲ彌  
縫セシムルコトニ官意ニ於テ努メツツアルガ如ク從  
ツテ今后邦人ノ租地借家其他商取引關係ニ至ル迄支

DEF DOC # 481

新聞官憲ノ注目干渉ハ益々熾盛ヲ加フルニ至ルナキ  
ヤニ察セラル此致報告申進ス

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本信爲送付先 北平、奉天