

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

Case No. 1

THE UNITED STATES OF AMERICA; et al) ORDER:
- vs -) GRANTING WITHDRAWAL FROM
) THE FILES OF THE TRIBUNAL
ARAKI, Sadao; et al) COURT EXHIBITS NOS. 2323,
) 2324, ET AL.

This matter coming on to be heard in open Court on this 4th day of March, 1947, upon the oral application of the Defense for an order of the Tribunal granting leave to withdraw from the files of the Tribunal, on the usual terms, the original documents comprising the respective Court Exhibits heretofore presented and marked for identification only, and from which documents excerpts have been introduced or offered in evidence, identified as Exhibits, ruled upon by the Tribunal, and filed with the Tribunal, which said original documents comprise bound volumes of newspapers, textbooks, law journals, and similar instruments, and are more particularly described as follows, to wit:

Court Exhibit No. 2323 --- League of Nations
Official Journal, November-December 1939;

Court Exhibit No. 2324 --- Speeches by
British leaders, published by the Foreign
Ministry of Japan;

Court Exhibit No. 2330 --- A bound volume
of various dates of the New York Times;

Court Exhibit No. 2331 --- A bound volume
of various dates of the New York Times;

Court Exhibit No. 2333 --- A bound volume of various dates of the New York Times;

Court Exhibit No. 2335 --- Report presented to the Preliminary Peace Conference, dated 29 March 1919;

Court Exhibit No. 2339 --- Treaty between the United States of America and other nations governing protection of lives of neutrals, etc.;

Court Exhibit No. 2341 --- Inter-Parliamentary Group of Roumania, etc.;

Court Exhibit No. 2342 --- American Journal of International Law, October 1939;

said withdrawal of said documents being for the purpose of returning the same forthwith to the various governmental sources from whom they were secured; and, it appearing to the Tribunal that the withdrawal of these documents, as requested, will in no wise prejudice the rights of the accused or any of them, and no substantial injustice will result thereby to the said accused; and the Tribunal hearing the arguments of Counsel, and being fully advised in the premises, it is

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

ORDERED: That Court Exhibits Nos. 2323, 2324, 2330, 2331, 2333, 2335, 2339, 2341 and 2342, be withdrawn from the files of the Tribunal forthwith and returned to the respective sources from whom they were secured, under the express term and condition, however, that said documents and each of them shall be returned to the Tribunal upon request, in the event either the Tribunal, or the Prosecution, or the Defense should desire them, or any of them, for the purposes of this trial.

Dated at Tokyo, Japan, this 6 March 1947.

BY THE TRIBUNAL:

(Signed) V. F. Webb
PRESIDENT

SITTING:

The Honorable Sir William Webb
The Honorable Mr. Justice McDougall
The Honorable Mr. Justice Mei
Lord Patrick
The Honorable Mr. Justice Bernard
The Honorable Mr. Justice Roling
Major General Myron C. Cramer
The Honorable Mr. Justice Northcroft
Major General of Justice I. M. Zarayanov
The Honorable Mr. Justice Pal
The Honorable Mr. Justice Jaranilla