

Paper No. 1274
Disposes of
Paper No. 1234

INTL. NATIONAL MILITARY TRIBUNAL FOR THE FAR EAST
SITTING AT TOKYO, JAPAN

Case No. 1

THE UNITED STATES OF AMERICA, et al)	ORDER:
)	GRANTING LEAVE TO
)	WITHDRAW FROM FILES
- vs -)	OF THE TRIBUNAL
)	COURT EXHIBIT NO. 2798
)	FOR IDENTIFICATION ONLY
)	AND DEFENSE DOCUMENTS
ARAKI, Sadao, et al)	NOS. 1626 AND 1835

This matter coming on to be heard on this 23rd day of September, 1947, before the Honorable Sir William Webb, President of the Tribunal, upon the application of William Logan, Jr., counsel for the accused KIDO, Koichi, for an order of the Tribunal granting leave to withdraw from the files of the Tribunal, on the usual terms, the original document comprising Court Exhibit No. 2798, heretofore presented and marked for Identification Only, and excerpts therefrom having been offered in evidence and rejected, Defense Document No. 1626 and excerpt therefrom having been submitted in evidence and rejected, and Defense Document No. 1835 which was offered in evidence and rejected, each of the foregoing being more particularly described as follows:

Court Exhibit No. 2798

"Imperial Economic Conference
at Ottawa, 1932 - Summary of
Proceedings and Copies of
Trade Agreements"

Defense Document No. 1626
"Japan Year Book, 1941-42"

Defense Document No. 1835
"The Indian Merchant's Chamber,
Views of the Committee on the
Report of the Indian Delegation
to the Imperial Economic Con-
ference, Ottawa"

said withdrawal of said original documents being for the purpose of returning the same forthwith to the source from which they had been secured, to wit: The Economic Research Library in Tokyo, Japan; and counsel for the Accused failing to attend the hearing upon said application, and the Prosecution by Mr. Solis Horwitz appearing and consenting on behalf of the Prosecution to the granting of this application, and it appearing to the Tribunal that the withdrawal of Court Exhibit 2798 for Identification Only and Defense Documents Nos. 1626 and 1835 will in no wise prejudice the rights of the Prosecution or of the Accused, or any of them, and that no substantial injustice will result thereby to the said Prosecution or the said Accused it is

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

ORDERED: That Court Exhibit No. 2798 and Defense Documents Nos. 1626 and 1835 be withdrawn from the files of the Tribunal forthwith and returned to the source from which they were obtained, under the express term and condition, however, that said documents shall be returned to the Tribunal upon request in the event that the Tribunal or the Prosecution or the Defense should require the, or any of them, for the purpose of this trial.

BY THE TRIBUNAL:

(signed) W. F. Webb
PRESIDENT