

**MICROCOPY**

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**NATIONAL ARCHIVES MICROFILM PUBLICATIONS**

Microfilm Publication M976

RECORDS OF THE DEPARTMENT OF STATE  
RELATING TO POLITICAL RELATIONS  
BETWEEN CHINA AND JAPAN, 1930-1944

Roll 44

1930-39

793.94/11031-11129  
Oct.-Nov. 1937



**THE NATIONAL ARCHIVES  
NATIONAL ARCHIVES AND RECORDS SERVICE  
GENERAL SERVICES ADMINISTRATION**

WASHINGTON: 1975

## INTRODUCTION

On the 96 rolls of this microfilm publication are reproduced the records from the decimal file of the Department of State, 1930-44, that relate to political relations between China and Japan. The records are mostly instructions to and despatches from diplomatic and consular officials; the despatches are often accompanied by enclosures. Also included in these records are notes between the Department of State and foreign diplomatic representatives in the United States, memorandums prepared by officials of the Department, and correspondence with officials of other Government departments and with private firms and persons. The State Department divided the decimal file into chronological segments to retire inactive records. This division has been maintained in this microfilm publication. The records for the period 1930-39 are filmed on rolls 1-88 and those for 1940-44 on rolls 89-96.

The Lists of Documents or "purport lists" filmed on rolls 345 and 346 (1930-39), roll 532 (1940-June 1944), and roll 628 (July-Dec. 1944) of M973 give brief abstracts of the documents reproduced in this microfilm publication and serve as a finding aid to the documents themselves. The arrangement of the entries on these lists generally corresponds to the arrangement of the documents in the file.

From 1910 to 1963 the State Department used a decimal system for its central files, assembling and arranging individual documents according to subject and assigning decimal file numbers. The decimal file consists of nine primary classes numbered 0 through 8, each covering a broad subject area. The records reproduced in this microfilm publication are in Class 7, political relations of states. Each country had been assigned a two-digit number. The country numbers assigned to China and to Japan, for example, are 93 and 94, respectively. Thus, documents bearing the file number 793.94 concern political relations between China and Japan.

When one or more digits follow the second country number, they represent a specific subject. This number, in turn, may be followed by a slant mark (/). In such cases the numbers after the slant mark were assigned to individual documents as they were accumulated on a specific subject. For example, a decimal file number taken from a document reproduced in this microfilm publication is 793.943/5. The number 3 following the country number for Japan (94) signifies that the subject is extraterritoriality, and the number after the slant mark indicates the number of documents on this subject.

## NATIONAL ARCHIVES MICROFILM PUBLICATIONS

The documents under one subject classification are generally in chronological order, coinciding with the assigned document number, which follows the slant mark. There are instances, however, when a document file number was not assigned until a date considerably later than the one on which the document was received.

In July 1944 the number after the slant mark began to reflect the date of the document instead of the number of documents; for example, a document dated November 20, 1944, would be numbered /11-2044. Documents dated as early as 1939 but not indexed until after July 1, 1944, also have been assigned date numbers.

Cross-reference sheets referring to related records under other subject classifications in the decimal file have been reproduced as they occur, and appropriate cross-reference notations appear in the Lists of Documents.

The file contains documents that were security classified by the State Department, as well as those received from and classified by foreign governments and other Federal agencies. Documents that have not been declassified are not available as part of this microfilm publication. The National Archives and Records Service (NARS) does not have authority to make reproductions of such documents available to searchers. Documents that remain classified have been removed from the file and replaced by a withdrawal notice that identifies the document and indicates the reason for its removal.

The records reproduced in this microfilm publication are part of General Records of the Department of State, Record Group 59, and are a continuation of the records concerning political relations between China and other states, 1910-29, which have been microfilmed as NARS M341.

In the same record group are several diplomatic correspondence series containing documents on relations between China and the United States. They are copies of instructions from the State Department to U.S. Ministers to China, 1843-1906 (rolls 38-43 of M77); notes to the Chinese Legation in the United States from the Department, 1868-1906 (rolls 13 and 14 of M99); despatches from U.S. Ministers to China to the Department, 1843-1906 (M92); and notes from the Chinese Legation in the United States to the Department, 1868-1906 (M98). Also related to matters concerning China are communications to special agents of the United States from the Department, 1852-86 (roll 154 of M77).

Several series of volumes contain material on relations between Japan and the United States. There are copies of instructions from the State Department to U.S. Ministers to

## NATIONAL ARCHIVES MICROFILM PUBLICATIONS

Japan, 1855-1906 (rolls 104-108 of M77); despatches from U.S. Ministers to Japan to the Department, 1855-1906 (M133); notes to the Japanese Legation in the United States from the Department, 1860-1906 (rolls 66 and 67 of M99); and notes from the Japanese Legation in the United States to the Department, 1858-1906 (M163). Also related matters concerning Japan are communications to special agents of the United States from the Department, 1823-86 (rolls 152 and 154 of M77); and despatches from special agents to the Department, 1794-1837 (roll 10 of M37).

Despatches from U.S. consular officials in China and Japan before 1906 are available as separate microfilm publications for each post. Complementary to the despatches from consuls are instructions to consuls.

The method of arranging the diplomatic and consular series cited above was discontinued in 1906, when the State Department adopted the practice of filing incoming and outgoing correspondence, memorandums, and other documents by subject in a single numerical series. Information on documents relating to China and Japan for the 1906-10 period may be found through the use of card indexes and Lists of Documents in the National Archives of the United States. The Numerical File is available as microfilm publication M862.

Several series in the State Department decimal file, 1910-29, that relate to Chinese and Japanese affairs are available as microfilm publications. In Class 7 there are two series regarding Chinese affairs: one concerning political relations between the United States and China (M339) and the other concerning political relations between China and other states (including Japan) (M341); and two series regarding Japanese affairs: one concerning political relations between the United States and Japan (M423) and the other concerning political relations between Japan and other states (M424). Class 8, internal affairs of states, has records concerning internal affairs of China (M329) and internal affairs of Japan (M422). Additional documents are in the remaining classes of the State Department decimal file:

- Class 0. General. Miscellaneous.
- Class 1. Administration, Government of the United States.
- Class 2. Extradition.
- Class 3. Protection of Interests.
- Class 4. Claims.
- Class 5. International Congresses and Conferences. Multi-lateral Treaties. League of Nations.
- Class 6. Commerce. Customs Administration. Commercial Relations, Treaties and Conventions. Commercial and Trade Agreements.

NATIONAL ARCHIVES MICROFILM PUBLICATIONS

In Records of Boundary and Claims Commissions and Arbitrations, Record Group 76, there are records relating to the Claims Commissions of 1858 and 1901 between the United States and China.

In Records of International Conferences, Commissions, and Expositions, Record Group 43, are records of several conferences in which the United States and Japan participated. There are records of the Washington Conference on Limitation of Armament, 1921-22, which met to consider the limitation of armaments and certain questions relating to Pacific and Far Eastern problems. There are also records of the Commission To Represent the United States at the Grand Exhibition of Japan, 1917. The exhibition was planned for 1912 but had been postponed, and the records relate mainly to the visit of U.S. Commissioners to Japan in 1908 and to their conferences with Japanese officials. Other relevant records in Record Group 43 are those concerning the Sino-Japanese Dispute, 1930-32 (documents gathered by Gen. Frank McCoy, U.S. representative on the Lytton Commission), those of the U.S. Element, Allied Council for Japan, 1946-52, and those of the Far Eastern Commission, 1945-51.

In Records of the Foreign Service Posts of the Department of State, Record Group 84, are records originally kept at U.S. diplomatic and consular posts. Among these are records of the U.S. Legation (later Embassy) in China, 1843-1945, and of the U.S. Legation (later Embassy) in Japan, 1855-1936, as well as those of various consular posts in those countries.

The records reproduced in this microfilm publication were prepared for filming by Ralph E. Huss, who also wrote these introductory remarks.

DECLASSIFIED: E.O. 11652, Sec. 3(E) and 5(D) or (E)  
Department of State letter, August 10, 1972  
By Milton P. Shusterman NARS, Date 12-18-75



EMBASSY OF THE  
UNITED STATES OF AMERICA

No. 1419

Peiping, October 4, 1937.

Subject: Activities of the Japanese Military  
Affecting the Legation Quarter.

Stamp: "In U.S.A." with a large 'X' over it. To the left, "Transit For" is also crossed out.

1937 NOV 8 PM 1 44

DIVISION OF  
COMMUNICATIONS  
AND RECORDS

793.94  
note  
701,000 93

Division of  
FAR EASTERN AFFAIRS  
NOV 9 - 1937  
Department of State

793.94/11031

The Honorable  
The Secretary of State,  
Washington, D. C.

Sir:

I have the honor to enclose a copy of a memorandum of a conversation which a member of the Embassy staff had on September 21, 1937, with Mr. Shigenaka Shima, Third Secretary of the Japanese Embassy, in respect to five matters concerning the Japanese military and the Legation Quarter.

Since the occupation of Peiping by the Japanese military frequent efforts have been made by this Embassy, in view of the facts that its Counselor has been senior member of the Protocol Powers' diplomatic representatives in Peiping and that one of its staff is a

member

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NOV 17 1937  
11031

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member of the Diplomatic Commission of the Legation Quarter, to prevent the Legation Quarter from being used by the Japanese military in any way which could be interpreted as making it a military base. On the whole these efforts have been successful.

One of the most serious problems created for the Legation Quarter has been the large number of Japanese military trucks and cars which have used Legation Street as a thoroughfare. As a result of oral representations, the Japanese military issued instructions and also placed signs in the Japanese language outside the gates at either end of Legation Street directing that only Japanese motor vehicles and Japanese soldiers belonging to the Japanese Embassy Guard should enter the Legation Quarter. These measures resulted in a marked reduction in the number of Japanese motor vehicles and soldiers entering the Quarter, although some Japanese trucks and cars which probably do not belong to the Japanese Embassy Guard still enter the Quarter.

The Japanese Embassy was also informed that a large number of Japanese motor vehicles were without license plates and were proceeding through streets of the Quarter at too high a rate of speed. The Japanese Embassy took up the matter subsequently with the military authorities, with the result that the number of motor vehicles without license plates has decreased. Speeding is still a problem, but speeding in the Legation Quarter is not confined to Japanese vehicles, nor is it a new problem.

The



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The Japanese Embassy has been informally approached three times with a request for information with regard to a field military post office which has recently been established on Legation Street in a building belonging to the Japanese Embassy and which would seem to be a military establishment not confined to the use of the Legation Guard. The Embassy has recently been informed by an officer of the Japanese Embassy that the post office will be moved from the Legation Quarter as soon as the Japanese military find suitable quarters for it.

A number of Chinese paraded through the Legation Quarter on September 19, ostensibly in celebration of the Autumn Moon Festival. The parades, one of which included about 200 camels, were obviously political in character, as participants carried pennants bearing slogans against the Kuomintang and in favor of Sino-Japanese friendship. There was also evidence of Japanese participation. A member of the Embassy staff informed a Secretary of the Japanese Embassy orally that demonstrations were not permitted in the Quarter. As a result of this representation, the Japanese exercised care a few days later to prevent entry into the Legation Quarter of demonstrators celebrating the occupation by Japanese forces of Paotingfu. (The Legation Quarter police had been instructed to close the gates of the Quarter if necessary to prevent such entry.)

Objection has been expressed several times to the Japanese Embassy over the flying of Japanese airplanes,

including

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including bombers, over the grounds of the American Embassy. The possibility of an accident occurring which would cause loss of American lives and property has been stressed. Such flights still occur at times, presumably because the local military authorities have no connection with the units to which the planes belong and because the Japanese aviators are ignorant of the territory over which they are passing.

Japanese military have during recent months frequently strung telephone and telegraph wires along streets of the Legation Quarter and it has seemed to observers that some of these wires were probably for the use of Japanese units on active military service. A member of the Embassy staff recently approached a secretary of the Japanese Embassy informally on this matter, explaining the apprehension of the Embassies and Legations as to the character of the use of the wires in question and suggesting that some measure be taken to allay this apprehension. An officer of the Japanese Embassy Guard called September 30 on the Commandant of the American Embassy Guard to inform him of the non-military character of a wire which had just been strung along a street running past property of the American Embassy. It is hoped that the entire problem of these wires may be satisfactorily solved in the near future.

Foreign residents of the Legation Quarter have been particularly irked by a balloon which has been flown from the ex-Austrian Legation grounds in the

Japanese

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Department of State letter, August 10, 1972  
By Milton P. Hurler NARS, Date 12-18-75

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Japanese sector of the Legation Quarter defense and which displayed in Chinese characters announcements of Japanese military victories. After several oral representations had been made to the Japanese Embassy by a representative of this Embassy, as well as by representatives of other embassies, the balloon was removed and now flies from a Chinese bank west of the Legation Quarter. The representations were made on the grounds that the flying of such a balloon in the Legation Quarter was in bad taste and created ill feeling.

Another matter which a member of the Embassy took up in conversation with a secretary of the Japanese Embassy was two instances of inhumane treatment of Chinese on Japanese property in the Legation Quarter. In one instance two foreign ladies saw a Chinese, bound, being beaten in the yard of a building occupied at that time by the Japanese gendarmerie and in the other instance four foreigners heard the sounds of lashing and screams coming from a building on Legation Street belonging to the Japanese. The Japanese secretary was requested to inform the Japanese authorities concerned that such inhumane treatment of human beings was exceedingly distressing to residents of the Legation Quarter.

It may be added that the Japanese Embassy has readily understood the views expressed to it in regard to the foregoing matters and has seemed genuinely desirous of doing everything it could to prevent the use of the Legation Quarter in any way which might be regarded as using it as a military base or which might be

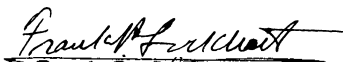
undesirable

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undesirable on other grounds. One of the Japanese secretaries recently informed a member of this Embassy that he had made out and submitted to the Japanese Military Headquarters at Tientsin a list of proprieties which should be observed in regard to the Legation Quarter and which he suggested should be brought to the attention of military units which were coming to Peiping.

Respectfully yours,

For the Ambassador:

  
Frank P. Lockhart  
Counselor of Embassy

Enclosure:

Memorandum, September  
21, 1937.

Original and 1 copy to Department  
Copy to Embassy, Nanking  
Copy to Embassy, Tokyo

701 Diplomatic Quarter/710

LES-SC

Peiping, September 21, 1937.

MEMORANDUM OF CONVERSATION.

Subject: Japanese Behavior in the Legation Quarter.

Present: Mr. Shigenaka Shima, Third Secretary, Japanese Embassy.  
Mr. Laurence E. Salisbury, Second Secretary, American Embassy.

I called on Mr. Shima today and informed him that I had several matters with regard to the Legation Quarter to take up with him informally. In each instance Mr. Shima indicated that he would take up the matter with the appropriate Japanese authorities.

I referred again to the subjects of the speeding of motor cars in the Legation Quarter and to the absence of number plates in some instances, both of these matters having been brought to Mr. Shima's attention previously by me on two occasions. (There had been a definite improvement in regard to the question of number plates, although a number of Japanese cars still continued to drive through the streets of the Quarter without plates.) I told Mr. Shima that I would supply him with information with regard to the motor cars which have been speeding in the Quarter, and at the same time similar information would be sent to other missions in regard to the speeding of cars of their nationals.

I told Mr. Shima that the balloon which flies above the ex-Austrian Legation compound and which advertises Japanese military victories over Chinese forces irked residents of the Legation Quarter greatly and aroused considerable ill-feeling against the Japanese without any compensatory gain to the Japanese as the balloon could as effectively be flown from

some

-2-

some place outside the Legation Quarter.

I then referred to the several parades which had passed through the Legation Quarter September 20, pointing out that they were of a political character, that there had been Japanese participation in at least one of them, and that such demonstrations were never permitted in the Legation Quarter.

I also informed Mr. Shima that three Japanese soldiers had urinated that morning in Legation Street in front of a foreign lady, a proceeding both insanitary, rude, and very much out of place.

At the close of the conversation I reminded Mr. Shima that I had twice asked for information with regard to the Field Military Post Office which the Japanese have established on Legation Street. Mr. Shima said that Mr. Shimadzu was handling this matter and had requested the Japanese military to supply the desired information.

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Department of State letter, August 10, 1972  
By Milton D. Shusterman NARS, Date 12-18-75

NO. 544

THE FOREIGN SERVICE  
OF THE  
UNITED STATES OF AMERICA

*Handwritten initials/signature*

NOV 10 3 PM '37

AMERICAN CONSULATE GENERAL

Tientsin, China, September 24, 1937.

SUBJECT:

Local Newspaper Comment and Japanese Propaganda Regarding American Reaction to Japanese Invasion of China and Aerial Bombing of Hanking.

793.94

*M. Berger*

The Honorable

Nelson Trusler Johnson,  
American Ambassador,  
Peiping.

Division of  
FAR EASTERN AFFAIRS  
NOV 9 - 1937  
Department of State

DEPARTMENT OF STATE  
NOV 24 1937  
ASSISTANT SECRETARY OF STATE

Sir:

As of possible interest to the Embassy, I have the honor to enclose a copy in translation of an editorial from the September 22nd issue of the YUNG PAO, a Japanese-owned Chinese language newspaper, and a copy of an editorial from the PEKING & TIENHSIN TIMES of September 24, regarding Sino-American relations and American and other foreign reaction to Sino-Japanese hostilities, particularly the aerial bombing of Hanking by the Japanese, and a copy of an anonymous anti-American circular dated September 21, 1937.

The Chinese text of the editorial from the YUNG PAO indicates that it might have been written by a Japanese. While ostensibly praising the perspicacity of the President of the United States

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Department of State letter, August 10, 1972  
By Milton D. Quisenberry NARS, Date 12-18-75

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States and the justice of American policy in China, with particular reference to American neutrality and the failure of the United States Government to supply the Nanking Government with munitions and otherwise openly to espouse the Chinese cause, it is definitely anti-American in its implications.

The editorial from the PEKING & TIENTSIN TIMES is a discussion of the bombing of Nanking by the Japanese, with particular reference to the evacuation of Nanking by the American Embassy.

The anonymous circular was sent in English through the Chinese Post Office, addressed to "The Chinese Staff, American Consulate General, Meadows Road, Tientsin", and to "The Chinese Staff" of the American Chamber of Commerce and several of the leading American firms in Tientsin. It is obviously anti-American and pro-Japanese propaganda, accusing the Americans of stirring up the Chinese against the Japanese and then betraying them, and calling upon the Chinese to awake and recognize their true friends, the Japanese, and to assist them in expelling Americans and other Occidentals from Asia and the North Pacific Ocean.

Respectfully yours,

J. K. Caldwell,  
American Consul General.

Enclosures:

1. Copy in translation of YUNG PAO editorial, September 22, 1937.
2. Copy of PEKING & TIENTSIN TIMES editorial, September 24, 1937.
3. Copy of anonymous letter, dated September 21, 1937.

800



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Department of State letter, August 10, 1972  
By Milton P. Eisenhower NARS, Date 12-18-75

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800  
DCB:M

Original to Embassy, Peiping.  
Copy to Embassy, Nanking.  
Copy to Embassy, Tokyo.  
Five copies to Department, without covering despatch.

.....  
A true copy of  
the signed origi-  
nal M.....

DECLASSIFIED: E.O. 11652, Sec. 3(E) and 5(D) or (E)  
Department of State letter, August 10, 1972  
By Milton P. Hueston NARS, Date 12-18-75

Translated from  
YUNG PAO, Tientsin.  
September 22, 1937.

Enclosure No. ....	to
dispatch No. <u>544</u>	dated
<u>Sep 24, 1937</u>	from
American Consulate General	
at Tientsin, China, on the	
subject of <u>local news</u>	
comment <u>Japan</u>	
and <u>propaganda</u>	

#### ROOSEVELT'S ELEVATED VIEWS

President Roosevelt of the United States is not to be ashamed of as a very great statesman, he is sharp-sighted, quite different from ordinary people and, for this reason, he has been highly respected by the American people and has been serving continuously as the occupant of the White House. The recent hostilities between the Kuomintang Government and Japan bring out even more his elevated views and impartial attitude which fully deserve the unanimous praise and respect of the people of the whole world.

With a view to thoroughly chastising the Kuomintang Government at Nanking Vice Admiral Hasegawa, Commander of the Third Japanese Fleet, decided to bomb Nanking after noon on the 21st (September, 1937) and under date of the 19th warned the diplomatic representatives of the Foreign Powers that all foreign residents in the city should be withdrawn to places of safety before noon on the 21st and that their ships should be moved up-stream from Hsiakwan, Nanking. While the warning has been taken under consideration by all the other diplomatic representatives, the American residents as well as their ships have resolutely evacuated to a place of safety.

The Kuomintang Government apparently is greatly  
indignant

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indignant at the intelligent and decided action taken by the United States Government for the evacuation of its nationals. It is to be noted that early in the month, in the name of the Ministry of Foreign Affairs, the Kuomintang Government officially advised that no foreign warships should anchor close to Japanese men-of-war, so that they might not be attacked, but the United States Government appears, however, to have paid no attention whatsoever to the advice of the Kuomintang Government. The fact that the United States Government immediately acted pursuant to the Japanese advice appears to be in contempt of the position of the Kuomintang Government and the relations between the Kuomintang Government and the United States will all at once become gloomy. That is not all, as the foreign relations between the Kuomintang Government and the United States had already become gradually strained immediately after the Sino-Japanese hostilities broke out.

It was the belief of the Kuomintang Government that the hostilities would immediately bring about the intervention of the Powers, particularly the United States, which would be the first to participate in the intervention and that there would be no reason for taking a hands-off policy. The resulting situation quite coincides, however, with what one has daily heard of the public talk to the effect that American people generally evade responsibilities.

From

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From the outbreak of hostilities (President) Roosevelt and Secretary of State Hull have time and again expressed their straightforward stand and exerted their full energy to restrain the irritation of the sentiments of the small number of pro-Chinese American people, thus forcing the Nanking Government, now in a disconcerted and disappointed position, to adopt an uncertain attitude vis-a-vis the United States. It is a general principle that the more people expect of others, the more they are disgruntled if their desire is not satisfied.

The Kuomintang Government is, however, unable to do anything against the United States and is still doing its best to recover from its state of collapse by such action as the despatch of flattering letters by Sung Mei-ling (Madam Chiang Kai-shek) to Madam Roosevelt and the despatch of Sung to America on a mission to make favorable propaganda.

(President) Roosevelt, being intelligent and crafty and of firm opinions, is not touched by her charms and has now issued an embargo on shipments of arms by government-owned ships as a precautionary measure against unexpected losses and has even ordered the return of a shipment of aircraft now en route to China which was ordered by the Kuomintang Government. Under these circumstances, the mission entrusted to (General) Chiang Fo-li by the Kuomintang Government for the purchase of American arms and ammunition

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ammunition will also result in failure.

It appears that the refusal of the United States Government to supply the Kuomintang Government with war weapons can have no other purpose than to destroy it. Orders were issued to Wang Cheng-t'ing (Dr. C.T. Wang), Ambassador to the United States, to call upon (President) Roosevelt on the 18th, pitifully begging the rescission of the embargo on shipments of arms by government-owned merchant-men and requesting the United States to join the Advisory Committee of the League of Nations. Both of his requests were declined by (President) Roosevelt on the excuse of avoiding political discussions. At the same time the United States Government reiterated its unchanged independent position. Since then the Kuomintang Government has not been able to employ its tricks which arouse only the ill-feeling of the American people and mockery on the part of other countries in the world.

The dream of the Kuomintang Government that the United States would be the first to intervene has now completely failed to come true and there is nothing they can do against the United States. At the present moment the tension in the Mediterranean will not permit the other Powers, which have not even any leisure for themselves, to look into the situation in the Far East. International intervention will not be possible and the Kuomintang Government is on the verge of collapse.

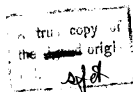
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Department of State letter, August 10, 1972  
By Milton P. Gustafson NARS, Date 12-18-75

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collapse. (President) Roosevelt's wise and impartial  
attitude and views deserve the unanimous respect of  
the people of the entire world.

Trans. FJCL

Checked: DCB



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Department of State letter, August 10, 1972  
By Milton D. Quastler NARS, Date 12-18-75

COPY OF EDITORIAL FROM PEKING AND  
TIENTSIN TIMES OF SEPTEMBER  
24, 1937.

POLICY, OR PASSION?

Enclosure No. <u>3</u>	to
dispatch No. <u>544</u>	dated
<u>Sep 24, 1937</u>	from
American Consulate General	
at Tientsin, China, on the	
subject of <u>ideal news</u>	
<u>comment on Japan</u>	
<u>ese Propaganda</u>	

The main motive in seeking reparation for the settlement of a public wrong, intentional or otherwise, is to prevent a repetition of it. It is of little use to extort a rather grudging admission of complicity in the commission of one offence, and assurances that all due care will be taken regarding the safety of non-combatants, when mass air raids are conducted, in an undeclared war, on the capital of another State wherein not one but many Embassies are situated. It savours less of simple contradiction than of sheer mockery. Two days after formal representations were made in Tokio, and on the very day of the reply to the British Note in regard to the shooting of the Ambassador, two separate mass air raids occurred upon Nanking. Fortunately there were no casualties among the foreign Embassies or nationals, but we are told that it is intended to carry out these air raids for an indefinite period. Not only was the densely populated south city of Nanking a target for the bombers in the raids on Wednesday, but also the new-residential district in which the American, Italian, and German Embassies and most of the foreign residences are situated.

Incidentally, the American Ambassador has now returned after his temporary retirement up-stream aboard a gunboat, and is apparently to remain. The incident was not flattering to American self-esteem, and one can well understand how American residents in this country feel about it. But the motive is quite obvious. It was designed to teach the isolationists a lesson, and to give the more practical but momentarily far less articulate elements a chance to "rub it in." We have had our own difficulties of this kind, notably in the year of grace 1935, when the League of Nations Union held its famous ballot on peace and disarmament and no statesman dared to tell the unvarnished and disagreeable truth, - not even Mr. Baldwin. Those of us who were at Home that year and in touch with developments and the state of public opinion have not forgotten the impression this position made upon us. One almost despaired of that proverbial sound sense which is generally regarded as one of the outstanding attributes of the British people. But all that has since been changed. The difficulties in America are far greater. But the humiliating episode of the retreat of the American Ambassador has undoubtedly achieved its avowed purpose as "an example to the people of the United States, by whom the Government has been long and earnestly urged to leave Nanking and other places in the Far Eastern war zone." We have no doubt equally good use has been made of the comment of the British Chargé d'Affaires: "Here I am; here I stay." And by this time we hope that the real meaning and motive of this episode has also penetrated into the Chinese consciousness.

We shall

- 2 -

We shall regard with all due significance the latest statement of the Tokyo Foreign Office spokesman, who proclaimed that the Chinese intend to take advantage of the next air raid of the Japanese in order to bomb the foreign Embassies, in an effort to bring about foreign intervention in the present conflict. That seems to us a very good reason why the Japanese Government should listen to the urgent representations of the Governments who have moved in the matter. It is also to be taken as a pretty plain hint to the Embassies concerned, and particularly the British and Soviet Embassies, that if they don't obey Japan's injunctions and evacuate the capital they "will get what is coming to them." There appears a woeful misunderstanding both of normal foreign intelligence and of foreign psychology in this particular case. Moreover, had not we "heard that one" already, as a possible explanation of the attack on the British Ambassador—before, of course, the hypothesis outlined in the second and final Note? A little scepticism is surely warranted on that account alone. It seems to us that a consideration of much greater moment is that it does not appear at all necessary for the Chinese to make any special contribution of that sort to the aggravation of the crisis.

There are still, we believe, two Japanese policies. The one uppermost now is fast destroying all hope and even opportunities for the other. In fact, we have grave doubts whether it can rightly be called a policy. It is more like a wild and uncontrollable outburst of passion. Mass air raids depend largely on their moral effect. The lesson of Madrid has shown that the medicine has only to be administered frequently enough, whether in large or small doses, to ensure immunisation from collapse of morale, for human nature is amazingly adaptable and resilient. The first fright is always the worst. Neither as a punishment for the determined resistance in Shanghai, nor as a means of breaking the morale of the Government or of evading the long and arduous task that is now confronted on the battlefields in the Lower Yangtze, are these raids calculated to be effective. Moreover, it makes moderate counsels among the Chinese leaders more than ever impossible, and paralyses diplomacy, upon which the outcome of the next stage in the conflict so greatly depends.



DECLASSIFIED: E.O. 11652, Sec. 3(E) and 5(D) or (E)  
Department of State letter, August 10, 1972  
By Milton P. Glavin NARS, Date 12-18-75

Copy of anonymous letter addressed to  
"The Chinese Staff, American Consulate  
General, Meadows Road, Tientsin".

Enclosure No. .... 3 .....	to
despatch No. .... 544 .....	dated
..... Sep 24, 1937 .....	from
American Consulate General at Tientsin, China, on the	
subject of <u>local news</u>	
<u>comment on Japan</u>	
<u>etc. Propaganda</u>	

September 21, 1937.

Dear Fellow Countrymen,

The imported doctrine have taught us in the past two decades to hate the Niponese as an enemy and to like the Americans as friends.

We have so far succeeded in turning out the Niponese a real enemy, but, have we got the Americans prove their worth as a friend of need?

The Niponese are only fighting against the Kuomintang while the Americans, after encouraging the fight, let down the Chinese innocent to die in the field without possible means of defence by virtue of their partial arms embargo. They are discarding the downs and flirting with the ups. The Orientals are humanly emotional, letting friendship before the business, while the Occidentals are selfishly a cruel, preferring hard cash before anything, particularly so of the Americans, who are very shallow and outspoken while the others, who are just as false friends as they can be, still conceal and mask their intentions better.

Will you therefore from now on, awaken yourselves from the self fooling conception of American help and friendship and etc? Will you please consider the following suggestions?

1. Treat the Occidentals as Occidentals would to us.
2. Do not push and pave the way for their merchandise unless you could get the lion's share of profit. Do not buy theirs unless theirs are definitely cheaper and yet better than the Sino or Niponese make.
3. Slap them in the face if they rough you, you will have their respect. Do not give in to them as they do not appreciate it.

They

- 2 -

They will only think that you are afraid of them and treat you with contempt.

4. Let us work with the Niponese as cousins should do. The service you render with so much sincerity to the Occidentals may not be appreciated by them - only putting their noses up - but the same shall be received with great satisfaction by the Niponese. Try and see it.
5. The cotton in North China and other produces will help the Niponese very much. They can change with their goods which we need. The Niponese do not need henceforth send further gold to America for the raw and will put the Americans on the dependent, giving us the position to command.
6. The yellow sea must be Yellow Ocean. The Hawaii and Luzons must be controlled by the Yellow. This could be done by Niponese strength in army and navy and Sino resources. Now it is the time. When the Nations arm up in 1942, it will be too late. The Italians are struggling for the control of the Mediterranean sea. We must own the Pacific.

Please circulate in confidence to your friends in the employment of American and European firms, if you are really patriotic. Do not forget, while they are rooting themselves to our country and enjoying all the extra hospitality, they will not give us a chance to live in their countries.

SINC K K K

DECLASSIFIED: E.O. 11652, Sec. 3(E) and 5(D) or (E)  
Department of State letter, August 10, 1972  
By Milton P. Huerfano NARS, Date 12-18-75



EMBASSY OF THE  
UNITED STATES OF AMERICA

*FE*  
*a-type*

No. 1415

Peiping, September 28, 1937.

Subject: Administration of Peiping after the  
Collapse of Sung Che-yuan's Regime.

*793.94*  
*note*  
*893.00*

*X*  
MID ONI

COPIES SENT TO  
O.N.I. AND R.I.D.  
*gmc*

DEPARTMENT OF STATE  
A-M/C  
DEPT  
ASSISTANT SECRETARY  
OF STATE 1937 NOV 8

COMMUNICATIONS  
AND RECORDS

The Honorable

The Secretary of State,  
Washington, D. C.

*R* *Refer in FE*  
Division of  
FAR EASTERN AFFAIRS  
NOV 9 - 1937  
Department of State  
*file*

793.94/11033

Sir:

*793.94/10452*

I have the honor to refer to that part of the Em-  
bassy's despatch No. 1402 of September 2, 1937, which  
described briefly the organs set up for the administration  
of Peiping, Tientsin, and the occupied districts (hsien)  
of Hopei Province following the collapse in late July and  
early August of General Sung Che-yuan's regime. In the  
present despatch these organs are dealt with in greater  
detail and, as their power is only nominal, an effort is  
made to indicate by whom and by what organizations the  
occupied area is in actual fact administered.

Nominally

F/FG  
11033

- 2 -

Nominally affairs in the special municipalities of Peiping and Tientsin and in the districts of Hopei Province occupied by the Japanese military are administered by three recently formed organs; namely, the Peiping Local Maintenance Society (北平地方維持會), inaugurated August 2; the Tientsin Local Peace Maintenance Society, inaugurated August 1; and the Association of the Local (district or hsien) Maintenance Societies of Hopei Province, inaugurated August 10. Concurrently the municipal governments of Peiping and Tientsin continued to function, at least nominally, as did also the district governments.

I. The Peiping Local Maintenance Society:

a. Initial activities:

Immediately after the departure on the night of July 27-28 from Peiping of General Sung Che-yuan, certain Chinese and Japanese became active in the organizing of a committee for the conduct of affairs during the interim between the collapse of General Sung's regime and the creation of a new regime. The formation of such a committee for the direction of affairs during a period of political overturn is not new to Peiping, some of those participating this time having had similar experience several times in the past. However, a new and modifying factor in the present instance was the participation of Japanese.

Some interested persons suggested that the Hopei-Chahar Political Council, which did not suspend activities until August 19, was an organ which could appropriately direct affairs during the period of political uncertainty

without

- 3 -

without recourse to the organizing of a new committee. Japanese opposition and Chinese intrigue apparently prevented the adoption of this suggestion, the Japanese opposition being due to the military's desire to eliminate from the scene all persons who had been prominently connected with General Sung's regime and the Chinese intrigue being allegedly the result of personal animus, especially on the part of Li Ssu-hao, Chairman of the Economic Commission of the Hopei-Chahar Political Council.

Activities for the forming of the proposed committee began at least as early as the afternoon of July 29 when Lieutenant Colonel Gennosuke Matsui, Chief of the Special Military Organ at Peiping, called on General Chang Tzu-chung, General Sung's subordinate whose compliance with Japanese wishes (the signing of the agreements of July 11 and 19) placed him for a few days in several high posts following General Sung's departure. Colonel Matsui, who has been the leading Japanese figure in Peiping in recent political activities, is reliably reported to have urged General Chang to take the lead in forming a committee for the preservation of peace and order. General Chang, however, went into hiding early in August, giving up all his posts.

#### Meetings

1. Some observers allege that Chang's retirement was voluntary and marked a return to unmistakable loyalty to the Chinese side. Others, however, claim that the Japanese forced his retirement because they decided not to use any longer even so helpful a member of Sung's regime. Chang has recently been reported in the press as having secretly made his way to Tsinan. Again some observers believe he went there to rejoin the 28th Army on the Tsin-pu Railway while others are of the opinion his object is to connive with Han Fu-chu for the formation of a North China puppet regime under Japanese control.

- 4 -

Meetings of interested Chinese and Japanese were held daily from July 30 to August 2, when the committee was finally inaugurated. A number of difficulties confronted the organizers. (1) The Japanese concerned were opposed to participation of persons who had been prominent in General Sung's regime and of military officers in general because of their belated disillusionment resulting from their misplaced confidence in some of General Sung's subordinate officers.<sup>2</sup> (2) The Japanese wanted Japanese participation in the membership of the committee; to this representation certain Chinese countered with the proposal that foreigners of other nationalities also be admitted to membership; and, this proposal being of course unacceptable to the Japanese, a compromise was reached whereby membership would be wholly Chinese with, however, a number of Japanese advisers "assisting". (3) A considerable number of Chinese of good reputation could not be persuaded to serve on the committee. According to one informant intimately associated with the initial proceedings, only two Chinese accepted membership from among a number of reputable Chinese who he and certain of his associates had hoped would serve. The refusal of Chinese to participate was presumably due to their realizing that the committee would have little real power,

that

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<sup>2</sup>. Only three members of the new committee had been closely associated with the Hopei-Political Council; namely, Niu Ch'uan-shan, Tsou Ch'uan-sun, and Leng Chia-chi, all of whom had been members of the Economic Commission of that Council, while Leng had also been a member of the Council. These three have been among the most active members of the new Committee and presumably their character was facile enough to make them acceptable to the Japanese at this time. Except for one unimportant exception, no military officers of Sung's regime belong to the new Committee or are among its advisers.

- 5 -

that it would be directed by Japanese or by unscrupulous Chinese, that participation would be incompatible with patriotism, and that the safety of their own futures might be endangered by their becoming involved in the political situation.

b. The structure and duties of the committee:

The committee, inaugurated August 2, was named the Peiping Local Maintenance Society. It has a chairman and 31 members, of which 8 are standing members, and five "divisions", namely, Social Affairs, Economics, Public Safety, Communications, and Culture. (It is not definitely known that all places are filled, however, as, for example, Marshal Wu P'ei-fu, listed as a member, has refused so far to serve and another, Kuan Yo-hsien, editor of the Peiping Shih Pao, went into hiding in early August just in time to escape being taken into custody, presumably by certain Japanese.) Twenty-four Chinese and six Japanese were invited to be advisers to the society.

In the published regulations of the society, its aims are defined as the maintenance of local peace and the protection of the happiness of the people, for the achievement of which "the various organs, legal persons, and organizations" in Peiping will be guided by the society. In fact, however, the society appears to be primarily concerned with the legitimatizing of measures desired by certain influential Japanese and certain Chinese who enjoy the favor of the Japanese.

1-3/

Copies in translation are enclosed of the society's regulations, the names of its members, and the names of

those

- 6 -

those Chinese and Japanese invited to serve as its advisers.

c. The character of the society's personnel:

The intention of at least some of the organizers of the Peiping Local Maintenance Society was to obtain as members substantial persons representing the principal walks of life in Peiping, such as finance, commerce, journalism, and culture. (Educators were excluded because all the reputable educators were too nationalistic to be satisfactory as members of the new organ, even if any of them would have agreed to serve; and, so far as known, the only members with military rank are the Chairman, General Chiang Ch'ao-tung, who never participated in warfare, and General Fu Pao-heng, who has held civilian posts for some time.) As the result of refusal of many of the more substantial citizens approached, the membership is composed notably of mediocrities.

Wu P'ei-fu's name is outstanding in the list of members, but, as already stated, he has refused to participate. General Chiang Ch'ao-tung is next in reputation. Seventy-seven years old, he has been in retirement since the fall of Yuan Shih-k'ai in 1916 (Embassy's Confidential Biographic Data of August 30, 1937) and only accepted the chairmanship of the new organ after several seemingly sincere refusals. He finally accepted, it is believed, from a genuine desire to help ameliorate the situation. He has found, however, difficulty in achieving much as his action is hampered by those Japanese and Chinese who wield the actual power. A

few



- 7 -

few other members are men of good family and of good though no outstanding reputation, some of whom accepted membership for the purpose of protecting their own interests. Among them may be mentioned Mr. Chou Chao-hsiang, a scholar and former director of the National Museum, and Mr. Yun Pao-hui, who was with Pu Yi in "Manchukuo" at one time, who has served on interim committees in past periods of political overturn, and who is now financially embarrassed.

The majority of the members, however, are men of little or doubtful reputation. Some of them are serving because the organizers could find no one better; others are serving for purely selfish reasons; and others are definitely Japanese tools. Among the worst is P'an Yu-kuei, concurrently Chief of Police, of whom more will be said later. As, however, the society is a temporary organization with little power, the character of its members seems not to be of much importance.

The most active members of the society are apparently P'an Yu-kuei, referred to above, Leng Chia-chi, formerly a member of the defunct Hopei-Chahar Political Council and former bank president, Chou Ch'uan-sun, head of the Peiping Chamber of Commerce, and Niu Ch'uan-shan, who speaks Japanese, was a vice minister of finance under the Anfu Clique, and was educated in Japan.

d. Chinese and Japanese advisers:

Those Chinese who have been invited to act as advisers to the Peiping Local Maintenance Society are mostly unknown

residents

- 8 -

residents of Peiping. Ch'en Chueh-sheng is the exception, he having been for the past two or three years one of the most influential and unscrupulous Chinese in Sino-Japanese affairs in North China (Embassy's Confidential Biographic Data of July 16, 1936).

The principal and immediate directing force of the society is its Japanese advisers. According to the enclosed list of names, six Japanese were invited to act in that capacity. There are others, however, as each committee or division of the society has its Japanese advisers. The total number appears to be between fifteen and twenty. Among the more influential are Soji Shakudo, head of the Japanese gendarmerie in Peiping, Kochi Nishida, formerly consul general at Tsinan, and Kameki Hayashi, who has been for many years the head of the Peiping office of Okura and Company.

Influential though these advisers are, they presumably receive their orders in important matters from the higher officers of the local Japanese Special Military Affairs Organ, to which they are attached. Lieutenant Colonel Matsui, who was until a few days ago the head of that organ, has now been replaced by Colonel Hiroshi Nemoto, who was stationed in Peiping in 1933 and 1934. Above him is Major General Seiichi Kita who recently arrived in North China to direct the affairs of all the Special Military Affairs Organs in Hopei Province. Heretofore those organs had no such supervising officer. Although General Kita is technically under General Juichi Terauchi, commander of the Japanese forces in North China, General Kita will presumably be the

officer

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officer primarily responsible for political developments  
in Hopei Province.

f. Other influences behind the direction of affairs:

It is not only, however, the Japanese advisers and the officers of the Special Military Affairs Organ which are responsible for the direction of affairs in Peiping at the present time. The Japanese gendarmerie, the Chinese Bureau of Police, and Chinese plain-clothes detectives are also in part responsible for local developments. It is alleged that there also exists in the city a secret society composed of Japanese ronin and Chinese roughs which wields considerable power, but this allegation has not yet been confirmed.

The most powerful Chinese in the city is P'an Yu-kuei, the Chief of the Chinese police. It is currently reported that he, as well as other Chinese who have obtained posts under the present interim regime, uses his position for selfish ends. Presumably some of his activities do not come to the attention of the Japanese authorities.

II. The Tientsin Local Peace Maintenance Society:

In much the same way as the Peiping Local Maintenance Committee was organized, and for similar purposes, a Tientsin Local Peace Maintenance Society was inaugurated August 1, the day following the conclusion of the principal Sino-Japanese hostilities in that city. Municipal organs had ceased to function as a result of those hostilities.

Information is not obtainable in Peiping with regard to the persons, Japanese and Chinese, who wield the actual power in Tientsin behind the new society.

The

- 10 -

The personnel of the society, which consists of a chairman and ten members, resembles that of the Peiping society in its mediocrity. Its Chairman, the elderly Mr. Kao Ling-wei, stands out above the others, having been associated with the old Chihli Party and having held cabinet posts several times in the old Peking Government from 1921 to 1923. He has been in retirement for some years, devoting himself to literature. Four of the ten members are merchants and members of the Tientsin Chinese Chamber of Commerce. One is the editor of a Chinese newspaper established by Japanese. Another, Sun Yun-yu, was educated in Japan, was once a member of the Kuomintang, and was Secretary General of the Tientsin Municipal Government in 1935. Niu Ch'uan-shan, who is a member of the Peiping Local Maintenance Society, is also a member of the Tientsin society.

4/ A list of the names of the members of the Tientsin society is enclosed.

III. Association of Local Maintenance Societies of Hopei Province:

An Association of the Local (hsien) Maintenance Societies of Hopei Province was inaugurated August 10. At that time only 37 of the 108 hsien (districts) of Hopei Province were alleged to be represented but, with subsequent extension of Japanese military occupation of the province, it is assumed that the representation of a greater number of districts is now claimed.

The membership of the Association has been announced as consisting of one representative from each district. The members are apparently, however, residents of Peiping, which is not surprising in view of the difficulties and dangers of

travel

- 11 -

travel in the province at this time. Nominally each has had some close association with the district which he is supposed to represent. Only a list of the 17 "standing members" of the association is obtainable; all are residents of Peiping; and all, so far as discoverable, are nonentities. A copy of this list is enclosed.

5/ According to the regulations of this association, a  
6/ copy of which in translation is enclosed, the association has five "divisions"; namely, Divisions of Secretariat, General Affairs, Protocol, Relief, and Propaganda. From the regulations, as well as from its activities so far, the principal purpose of the association appears to be relief work for those who have suffered from the recent hostilities. Meanwhile the actual conduct of affairs in the districts which this association claims to represent is in the hands of the district governments.

The 22 districts of the East Hopei Anti-communist Autonomous Government, which are allegedly represented in the association, still have their autonomous government, its "capital" being at Tangshan.

In short, the Association of Local Maintenance Societies of Hopei Province seems to be an organization without present significance and probably not of future importance.

IV. Joint Society of the Peiping and Tientsin Local Maintenance Societies:

The press has reported that a Joint Society of the Peiping and Tientsin Local Maintenance Societies was formed September 22 at Tientsin at a meeting in which a representative of the East Hopei regime and representatives of the Japanese Special Military Affairs Organs of the two cities participated.

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participated. Mr. Kao Ling-wei, Chairman of the Tientsin Local Peace Maintenance Society, was made chairman of the new organization. According to the press report, Mr. Kao called after the meeting on General Juichi Terauchi, who commands the Japanese forces in North China, and expressed the hope that General Terauchi would grant the organization "the greatest possible assistance". A statement was issued by the joint society, a copy of which in translation is enclosed. The statement refers to "the magnificent help of the friendly nation" (Japan), to the necessity of union of the Peiping and Tientsin Local Maintenance Societies if political measures satisfactory for the people are to be achieved, and to the need for such a union for the conduct of "foreign affairs", that is, relations with the Japanese. The statement also refers to the close relationship of the joint society with the East Hopei regime and to the desirability of cooperation with it. An official of the East Hopei regime was one of the signers of the statement.

The purpose of the promoters of this joint society is perhaps to create an organ which the Japanese may find useful when the time comes for the formation of a new and more permanent regime for the administration of North China. The promoters would seem to be primarily interested in assuring themselves of employment in the future regime. Otherwise, the joint society appears to be without particular significance.

V.

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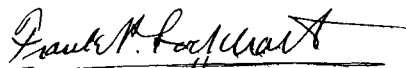
V. The future of the above-mentioned organs:

It is thought that the organs described in the foregoing pages will exist only until the Japanese military are ready to inaugurate a government of greater scope. They will then be discarded, although some of their members will presumably assume posts in the new regime.

When that new regime may come into being, it is impossible to say. It is not unlikely that the Japanese authorities have not yet decided what form of regime is desirable and there is evidence that they have not yet solved the question of what Chinese will be the head of that regime. Meanwhile the organs described above give a semblance of Chinese administration to an area which is actually under the control of the Japanese military.

Respectfully yours,

For the Ambassador:

  
Frank P. Lockhart  
Counselor of Embassy

Enclosures:

1. Abridged Regulations of the Local Maintenance Society of the Peiping Municipality.
2. Committee-member list, Peiping Municipal Local Maintenance Society.
3. List of Advisers, Peiping Municipal Local Maintenance Society.
4. List of members, Tientsin Local Maintenance Society.
5. List of standing members, Association of Local Maintenance Societies, Hopei Province.
6. Abridged Regulations, Association of Local Maintenance Societies, Hopei Province.
7. Manifesto of the Joint Society of the Peiping and Tientsin Local Peace Maintenance Societies.

Original and 4 copies to Department.  
Copy to Embassy, Nanking.  
Copy to Embassy, Tokyo.

710/801

LES-SC

(CORRECT COPY - SC)

Enclosure No. 1  
Despatch No. 1415

THE ABRIDGED REGULATIONS OF THE LOCAL MAINTENANCE  
SOCIETY OF THE PEIPING MUNICIPALITY

- (1) The name of this society is fixed as The Peiping Municipal Local Maintenance Society (Feng Che Yuan, in Chung Nan Hai, is temporarily borrowed.)
- (2) The aim of this society is to maintain the peace of the locality and to protect the happiness of the people.
- (3) For purpose of attaining of the aforementioned aim, guidance may be given to the various organs, legal persons, and organizations of this municipality.
- (4) This society adopts the committee system. All the bureau directors and department heads of this municipality are ex officio members. Furthermore, the gentry, the self-governing groups, the municipal Chamber of Commerce, the Association of Bankers, and cultural organizations of this municipality will each send a number of representatives as committee members, each being limited to a maximum of six persons.
- (5) This society establishes a Chairman and six to eight standing members jointly elected by the complete body of all the members.
- (6) This society is divided into administration sections. The number of officers and their duties will be fixed separately by regulations.
- (7) A number of advisers may be invited.
- (8) Provision for the expenditures of this society will be decided upon in plenary session of the committee members.
- (9) Should there be matters not covered by these abridged regulations, it shall be permitted to make provision or revision as the occasion presents itself.

HG/EC



(Trans. HG)  
(Checked: EC)

COMMITTEE-MEMBER LIST OF THE PEIPING MUNICIPAL  
LOCAL MAINTENANCE SOCIETY

CHAIRMAN

Chiang Ca'ao-tsung (hao)  
Yü-ch'eng Former National  
Premier

STANDING MEMBERS

Leng Chia-chi Chan-ch'i Member of Peiping  
Political Council

Lü Chün Hsi-hong Director of the  
Supervisory Depart-  
ment of the Peiping  
Municipal Self-Govern-  
ment (organ).

Chou Chao-hsiang Yang-an Peiping gentry.

Tsou Ch'uan-sun President General  
Chamber of Commerce,  
Peiping.

Liang Ya-p'ing Chinese Manager  
Peiping Bank of Chosen.

Chou Lu-an Director of the Peiping  
Municipal Bureau of  
Finance.

Lin Wen-lung Sino-Japanese Cultural  
Commission

Wang Yu-lin Tse-min Manager Peiping Pao  
Shang Bank.

MEMBERS

Wu Pei-fu Tzu-yu

Yun Pao-hui Kung-fu Peiping gentry.

P'an Yü-kuei Yen-sheng Commissioner Peiping  
Municipal Bureau of  
Police

Li Ya-hsien Journalism

Wang Yi-chih Journalism

- 2 -

MEMBERS (Continued)	(hao)	
Ch'eng She-ngo		SHIH CHIEH JIH PAO (World Daily News)
Kuan Yi-hsien		PEIPING SHIH PAO
Yang Lang-ch'uan	Yu-hsiu	Manager Bank of China.
Hsiu Ch'uan-shan	Yuan-po	Committee-Member Political Council.
Kao Lun-t'ang	Li-t'ing	Member Chamber of Commerce, Peiping.
Yang Shao-yeh	Chi-hsien	Member Chamber of Commerce, Peiping.
Feng Hsin-ch'uan	Chu-hsuan	Member Chamber of Commerce, Peiping.
Tu Yuan	Shao-chang	Member Chamber of Commerce, Peiping.
Li Ching-ho		Peiping gentry.
Cheng Yun-t'ien	Jui-sheng	Manager China and South Seas Bank.
Ts'ao Hung	Shao-chang	Manager Hsin Hua Bank.
T'ang Po-yu		Peiping gentry.
Yin Feng-ts'ao	Chin-choa	Assistant Manager Kincheng Bank
Wang Shu-ch'ing	Feng-san	Councillor Military Affairs Council.
Kuo Pao-hsuan		Director Bureau of Social Affairs, Peiping.
Fu Pao-heng		Director Bureau of Engineering, Peiping.
Hsieh Chen-ping		Director, Bureau of Health, Peiping.
Lin Keng-yu		Committee-Member, Foreign Affairs Commission

DECLASSIFIED: E.O. 11652, Sec. 3(E) and 5(D) or (E)  
Department of State letter, August 10, 1972  
By Milton P. Gustafson NARS, Date 12-18-75

ENCLOSURE No. 3  
TO DESPATCH No. 145

(Trans. BG)  
(Checked: EC)

LIST OF THE ADVISERS ALREADY INVITED BY  
THE PEIPING MUNICIPALITY LOCAL MAINTENANCE  
SOCIETY

<u>Advisers</u>	<u>Hao</u>	<u>Address</u>
Shao Wen-k'ai	Chung-tse	Gendarmerie Head- quarters, 7 Wang Chia Hutung Tung Sau Pailou E. 3115 E. 2400
Ling Ch'ang-yen		18 Hsiao Chiang Fang Hutung Hsi Sau Pai Lou W. 1781
Liang Chu	Jen-po	87 Hsi Kuan Yin Sou E. 16 (Lawyer)
Lei Pao-k'ang	Shou-jung	24 Hsun Fu T'ing West City W. 1518
Ma Lin-yi	Chen-wu	Chueh Yuan Ta Chueh Hutung W. 359
Wang Ch'i	Ching-han	28 Fu Sui Ching Kung Men K'ou West City W. 2883
Yeh Pi-liang	Hai-ch'ien	22 ShaTou Hutung E. 3000
Chang Yun-jung	Sheng-sen	4 Heng K'ung Sha Chiel W. 964
Ch'ien Chuen-sheng		22 Tung Esung Pu Hutun E. 3030
Kao Sheng-yueh	Cho-jan	24 T'un Chuan Hutung West City W. 1630
Tsou Chih-ch'uan	Chi-yu	Peiping Administra- tive Office of the Ping-Han Railway. 14 Shih Chia Hutung E. 81 E. 2842

- 2 -

<u>Advisers</u>	<u>hao</u>	<u>Address</u>
<sup>K</sup> Li Jung-ju		
Hu En-ch'eng	Kuan-sheng	4 Hua Chia Hutung, East of Ta Hsing Hsien An Ting Men Nei E. 3011
Sun Yen-yi		
Hsu Po-su		23 Tu Ch'eng Huang Hiao Chieh W. 350
Chou Kuan-ch'ing		1 Hsi Lo Ch'uan Hutung Shih Chia Hutung E. 251
Liu Yen-chih		17 Hsi T'ang Tzu Hutung E. 3833
Yin Fu-yi	Chung-ya	25D Shou Po Hutung West City W. 669
Ch'ien Hing-chien	Tzu-sheng	5 K'u Tzu Hutung Pei Nao Shih K'ou W. 851
Ch'ien T'ung	Meng-ts'ai	7 K'uei T'ou Tso Fu Yu Chieh W. 991
Ts'ai Lin-t'ai	Yun-ch'ing	7 Li Fu Ying An Ting Men Nei E. 4577
Sung Yi	Pao-yi	199 He-an Wai Ta Chieh E. 326
Wang Ch'eng-ch'uan	Ch'in-yao	29 Fang Chia Yuan East City E. 739
Chang Yin-hsuan	Hua-t'ang	37 Kuang Hing Tien

Koren Inamura  
(A medical doctor who has lived many years in Peiping.)

Soji Shakudo  
(Often mispronounced as "Soji Akafuji"; head of the Japanese  
Gendarmes in Peiping.)

Hakota Kawakami (past unknown)  
Hanzo Kasada (perhaps Major Kasai. If not, unknown.)  
Kaneki Hayashi (Head of Okura & Company in Peiping. He has been  
long in Peiping. Lent money for Okura to Yen Hsi-shan in the past.)

Koichi Nishida (former Consul General at Tsinan.)

ENCLOSURE No. *tees*  
TO DESPATCH No.

LIST OF MEMBERS OF TIENSIN LOCAL PLACE  
MAINTENANCE SOCIETY

**CHAIRMAN**

Kao Ling-wei Cabinet Minister several times  
in the old Peking Government.

**MEMBERS**

Kang Chu-lin Former and present Chairman of the  
Tientsin Chinese Chamber of Commerce;  
former Director of the To-li Kao-hsien  
Railway Office.

Major General  
Liu Yu-shu Former subordinate of General Sun  
Chuan-fang; former subordinate of  
General Sheng Chen; head of the  
Tientsin Public Safety Bureau, 1926;  
head of the Tientsin Public Parks  
Bureau in 1926; and now Commissioner  
of the Tientsin Police Bureau.

Chao P'in-sh'ing Merchant and member of the Tientsin  
Chinese Chamber of Commerce.

Chang Cao-chow Merchant.

Shen T'ung-wu Merchant and superintendent of the  
Tientsin Electric Affairs Bureau.

Hsiu Ch'uan-shan A Vice Minister of Finance under  
the old Peking Government and a member  
of the Economic Commission of the Ho,ei-  
Chanar Political Council.

Sun Yun-yu Secretary General of the Tientsin  
Municipal Government in 1925; now  
Chief of the Department of General  
Affairs.

Fang Yao-yu Editor of the Jih Hsin Kuo (Daily News),  
established by Japanese.

Huang Hsiao-yen Member of the Tientsin Chinese Chamber  
of Commerce and concurrently Chairman  
of the local Money Exchange Guild.

Ch'ih Yu-t'ang Member of the Tientsin Chinese Chamber  
of Commerce and concurrently Chairman  
of the Pawn Shop Merchants' Guild.

DECLASSIFIED: E.O. 11652, Sec. 3(E) and 5(D) or (E)  
Department of State letter, August 10, 1972  
By Milton P. Quisenberry NARS, Date 12-18-75

ENCLOSURE No. 5  
TO DESPATCH No. (465)

MEMBER AND ADDRESS LIST OF THE STANDING MEMBERS OF THE ASSOCIATION OF LOCAL MAINTENANCE SOCIETIES OF HOPEI PROVINCE...

Association address: No. 3 Fu-ch'ien-chieh  
Telephone: S. 2062

<u>Name</u>	<u>Address</u>	<u>Telephone</u>
Li Chuang-fai	2 Fu-tah-haiang I-tah-li South of Hsi Ssu Pai-lou	
Chi Shih-an	4 Chin-yü Hutung	E. 4788
Kao Ken-shan	1 Tung-kuo-ch'ang West City	W. 1662 (Borrowed telephone)
Liu Yü-min	7 Ta Hung Lo Ch'ang Hsi Ssu Pai Lou	W. 1853
Chang Hsiu-fu	3 Hsiao Ch'ün Shu Htg Tung Tan Pai Lou	E. 2230
Yao Tse-sheng	7 To Fu Hsiang Tung Ssu Pai Lou	E. 1951
Ning Kuei-yang	3 Lou Tung Ts'ao Ch'ang Ti An Men Wai	E. 603
Shang Shou-shan	3 Ts'ui Hua Wan	23 (Borrowed telephone)
Pai Huan-t'ing	28 Ho Yen, Yi Liu Hutung, Ti An Men Wai	E. 2358
Yang Ho-nien	9 T'iao, Hien Hua	E. 3923
Chang Lü-sheng	39 Ying T'ao Hsieh Chieh Chien Men Wai	E. 631
Yang Hsiu-fu	32 Ta Lien Wan	
Chang Yü-heng	25 Tung-t'ang-tzu Hutung	E. 1822
Wei Tsu-tan	41 Yang-shih Ts-chieh	W. 2560
Chu Hsi-ling	20 Hi Liang K'ü Ti An Men Wai	E. 2253
Liu Yi-po	29 Erh-t'iao Tung Ssu Pai Lou	E. 343
Shih Hsiao-ch'uan	20 Chung Mao Chiao Wan	W. 262

EC/kt

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Department of State letter, August 10, 1972  
By Milton D. Gustafson NARS, Date 12-18-75

ENCLOSURE No. <sup>6</sup>  
TO DESPATCH No. <sup>415</sup>

THE ABRIDGED REGULATIONS OF THE ASSOCIATION OF  
LOCAL MAINTENANCE SOCIETIES, HOPEI PROVINCE

(Trans.: HS)

(Checked: EC)

ARTICLE 1. The name of this society is fixed as the Association of Local Maintenance Societies, of Hopei Province.

ARTICLE 2. This Union purposes the peace of all the several districts of Hopei Province, relief of the suffering of the masses, salvation of those who have no homes, adjustment of the distribution of food-stuffs and fuel, clearance of obstructions on the highways, assistance to the localities of the various districts in regard to public affairs. When necessary, branch offices may be opened in the districts so as to facilitate joint progress.

ARTICLE 3. This Association adopts the committee system, organized through the gentry and merchants of the various districts now residing in Peiping. As many as possible of the well known people of the various districts of Hopei Province will be invited to be members to help in the affairs of the Association.

ARTICLE 4. This Association has one chairman and a certain number of standing members and committee members jointly nominated by members.

ARTICLE 5. The standing members are separately responsible for the administration of the ordinary daily affairs of the Association. When important affairs occur, a general meeting of all members will be held to make decision.

ARTICLE 6.

-2-

ARTICLE 6. The Association has a Division of Secretariat, Division of General Affairs, Division of Protocol, Division of Reliefs, and a Division of Propaganda.

The duties of the Secretariat are:

1. The Chinese language secretary takes charge of the literary affairs of the Association.
2. The foreign language secretary takes charge of the drafts and documents in eastern and western languages, and of the translation work of the Association.

The duties of the Division of General Affairs are:

1. To take charge of seals and letters, to receive and send documents, to preserve the records, and to do writing and copying.
2. General accounting affairs.

The duties of the Division of Protocol are to take charge of receiving guests and of all social affairs.

The duties of the Division of Relief are to take charge of matters in regard to investigation, receiving (refugees) and relief.

The duties of the Division of Propaganda are to take charge of affairs of propaganda and the editing of publications.

ARTICLE 7. The detailed rules of administration of the Association will be separately established.

ARTICLE 8. For the sake of helping the refugees of the various districts and for the planning of joint relief work, this Association may invite a number of Chinese and foreign philanthropists of high reputation to be advisers.

ARTICLE 9. This Association will have from four to six secretaries, a certain number of executive secretaries, and a certain number of employees may be engaged according to the amount of work to be done.

ARTICLE 10. The expenses of this Association are temporarily



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Department of State letter, August 10, 1972  
By Milton D. Gustafson NARS, Date 12-18-75

-3-

porarily provided for by the committee members of this Association.

ARTICLE 11. If there is anything not covered by these abridged regulations, revisions may be made as the occasion demands.

HG:EC/kt

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Department of State letter, August 10, 1972  
By Milton P. Quastler NARS, Date 12-18-75

ENCLOSURE No. 7  
TO DESPATCH No. 1415

Translation of news item appearing in the  
SHIH CHIAH JIH PAO (World Daily News, Peiping)  
September 24, 1937.

THE MANIFESTO OF THE JOINT SOCIETY OF  
THE PEIPING AND TIENTSIN LOCAL PEACE  
MAINTENANCE SOCIETIES.

Since the abrupt outbreak of the Incident, public officials of all the former organs have fled for their lives one after another. Thus administrative functions were completely at a standstill for a time, local order was in consequence confused, and the movement of business therefore stopped. This gave a chance to defeated soldiers and persons of bad character to plunder ruthlessly. The conditions of suffering endured by the people were such that one could hardly bear the seeing or hearing of them. Fortunately through the magnificent help of the nation friendly to us which would not have the people of Peiping and Tientsin to suffer overly much, the two municipalities of Peiping and Tientsin were able to establish peace maintenance societies which have gradually been extended to all hsien adjoining Peiping and Tientsin. The construction of administration gradually took form. None will not feel deeply lucky and express gratitude at all such righteous initiative. The two municipalities of Peiping and Tientsin are to one another as the teeth are to the lips, and their interests are also common. As regards the policies for political measures, unless there is union not only will it be impossible to satisfy the hopes of the masses, but also the seed of future trouble will be sown. With regard  
to

-2-

to the administration of foreign affairs, it is felt still more that there should be a representative organ, and hence the Joint Society of the Peiping and Tientsin Local Peace Maintenance Societies has been organized to meet the demands of the time. It is moreover observed that the East Hopei Government has close relationships with Peiping and Tientsin so that it is very proper in addition to join with it in cooperation and to take such joint action as required. Henceforth, there will be the joining of our strength and hearts for the creation of the happiness of peace for the people of North China. This is especially announced, September 22, 1937.

Representatives of the first meeting of the Joint Society of the Peiping and Tientsin Local Peace Maintenance Societies:

Kao Ling-wei

Niu Ch'uan-shan

Leng Chia-chi

Chou Chao-hsiang

Jen Kuo-liang, liaison officer of the East Hopei

Anti-Communist Autonomous Govern-

ment.

(Trans: HG)

(Checked: EC)

(Typed: es)

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Department of State letter, August 10, 1972  
By Milton P. Gustafson NARS, Date 12-18-75

學大京燕

YENCHING UNIVERSITY  
PEIPING, CHINA

October 9, 1937

NOVEMBER 8 1937

RECEIVED  
DEPARTMENT OF STATE  
OFFICE OF THE PRESIDENT  
1937 NOV 8 AM 2 17

TELEGRAPH ADDRESS  
"YENTA"

DEPARTMENT OF STATE  
RECEIVED

DIVISION OF  
COMMUNICATIONS  
AND RECORDS

Honorable W. Cordell Hull  
Department of State  
Washington, D.C.

*Copy made  
Nov 5 1937*  
Division of  
EASTERN AFFAIRS  
NOV 5 - 1937  
Department of State  
*ms*

NOV 5 - 1937

OFFICE OF THE SECRETARY

793.94:

My dear Mr. Hull:

You may possibly recall that Dr. Hornbeck took me to call on you early in January 1936. I remember that you were busy enough to be having lunch in your office while at the same time continuing your dictation. I rather imagine that this is not altogether an infrequent experience for you. In any case, I should like to be allowed to express my very hearty endorsement of the declaration of the State Department regarding the Sino-Japanese hostilities which appeared in our local papers yesterday. It is in emphatic while at the same time restrained language, and goes to the fundamental issues, rather than with spectacular features. It has been extremely reassuring to the Chinese government and public to have the nation they regard as their best friend, and whose ideals are having more to do in the shaping of their own aspirations, to have so unequivocally expressed itself on the moral aspects of the present struggle.

With admiring sympathy in the way you are facing your great responsibilities,

Very sincerely yours,

*J. Haight Stewart*

jls c

793.94/11034

NOV 9 1937

FILED

F/FG

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Department of State letter, August 10, 1972  
By Milton P. Gustafson NARS, Date 12-18-75

November 8 1937

In reply refer to  
FE

My dear Dr. Stuart:

Mr. Hull has asked me to acknowledge the receipt  
of your cordial letter addressed to him under date  
October 9, 1937, and to express to you his appreciation  
for your kind comments in regard to the course which  
the administration is endeavoring to follow in connection  
with the complicated situation in the Far East.

With kind personal regards, I am,

Sincerely yours,

*M. M. H.*  
Maxwell M. Hamilton  
Chief  
Division of Far Eastern Affairs

793.94/11034

The Reverend

J. Leighton Stuart, D.D., Litt.D.,

Yenching University,

Peiping, China.

CR ✓  
NOV 8 1937.PM

YOS  
AFF  
FE:REK:REK  
11/8/37

FE

A true copy of  
the signed origi-  
nal.

F/EG

DECLASSIFIED: E.O. 11652, Sec. 3(E) and 5(D) or (E)  
Department of State letter, August 10, 1972  
By Milton P. Hueston NARS, Date 12-18-75

9-1

TELEGRAM RECEIVED

JR

PLAIN

FROM

Peiping via N. R.

Dated November 9, 1937

Rec'd 5:55 a.m.

Secretary of State,  
Washington.

COPIES SENT TO  
O.N.I. AND M.I.D.

Division of  
FAR EASTERN AFFAIRS  
NOV 9 1937  
Department of State

738, November 9, 5 p.m.  
11021

Embassy's 735, November 8, 4 p.m.

793.94

One. The local Japanese spokesman has announced that the Japanese occupation of Taiyuan was completed this morning.

Two. Press reports indicate that Changteh in northern Honan on the Peiping-Hankow Railroad is now occupied by the Japanese (Embassy's 728 / 10993 November 5, 4 p.m.).

Repeated to Nanking by courier to Tokyo.

793.94/11035

LOCKHART

DDM

NOV 11 1937  
F/FG  
FILED

DECLASSIFIED: E.O. 11652, Sec. 3(E) and 5(D) or (E)  
Department of State letter, August 10, 1972  
By Milton D. Gustafson NARS, Date 12-18-75

DEPARTMENT OF STATE

DIVISION OF FAR EASTERN AFFAIRS

November 19, 1937.

Nanking's 900, November 9, 9 a. m.

It is suggested that no further action be taken on the basis of the telegram under reference. In the first place, the source of the information would not appear from the telegram to be necessarily authentic. In the second place, inasmuch as the attacks have not been directed specifically against American nationals or property, there exists but little basis for protest. In the third place, by the letter of November 10 to Mr. Swift, the Red Cross has been put in position to protest should it deem it advisable. The Red Cross would have clearly a better basis for protest than would the Department.

This matter has been held up for the reason that it was desired to await notice of any action taken at Tokyo. Apparently no action has been taken, and, in line with the above suggestion, it is proposed that no action be taken at the present time.

*JWS*  
FE:JWB:JHS:SMJ

DECLASSIFIED: E.O. 11652, Sec. 3(E) and 5(D) or (E)  
Department of State letter, August 10, 1972  
By Milton D. Gustafson NARS, Date 12-18-75

*FE*

TELEGRAM RECEIVED

FROM <sup>November 10 1937</sup> PLAIN

MBO  
AMEMBASSY PEIPING  
AMCONSUL SHANGHAI,  
HANKOW, CANTON  
Secretary of State,  
Washington.

Nanking via N.R.  
Dated November 9, 1937  
Rec'd 6:48 a.m.

*Paragraph  
"four" sent to  
Red Cross  
in letter  
dated Nov.  
9.*

COPIES SENT TO  
C.N.S. AND M.I.D.

Division of  
FAR EASTERN AFFAIRS  
NOV 9 1937  
Department of State

*793.94  
note  
893.77  
792.94/116*

900, November 9, 9 a.m.

*892*

One. Railway authorities confirm press reports of bombing yesterday of southbound Blue Express on Tsingpu line near Suhsien about 80 miles north of Pengpu. Seven passenger cars reported demolished with over 200 civilian casualties.

Two. Chinese reports indicate that hinterland bombing activities have continued steadily. November fourth Japanese planes bombed: Kiating and Tunghai, Kainghu; Cheungmuktau and Lamchen on Canton Kowloon Railway destroying several sections of roadbed; Soochow (three raids); a village within Tsinan municipal area. November fifth 10 Chekian cities including several on Shanghai Hangchow Railway were "subjected to heavy bombing for twelve consecutive hours"; and the Kashing station was heavily damaged and magistrate's office and many houses were demolished; planes raided Soochow 12 times; several sections of Canton Kowloon Railway track were destroyed. November seventh

Tsinking

NOV 22 1937  
F A E A D

793.94/11036



DECLASSIFIED: E.O. 11652, Sec. 3(E) and 5(D) or (E)  
Department of State letter, August 10, 1972  
By Milton P. Quatefen NARS, Date 12-18-75

MB 2- No. 900, November 9, from Nanking.

Tsinkang North Shantung was bombed and at Tinangwei on Canton Kowloon Railroad tracks were blown up. November eighth region between Kashing and Sungking was bombed. Several Japanese planes are reported to have been brought down in these raids by anti-aircraft guns at some points; west of the places attacked however are without defense.

Three. Open letters addressed November fifth by Chinese Railway trade unions to railway employees of other countries states that since outbreak hostilities Chinese Railways have been bombed 600 times; 150 locomotives 87 passenger cars and 255 freight cars have been demolished 293 railway workers have been killed and 1000 wounded.

Four. According to local foreign medical source, of 100 motor trucks and 100 railway cars set aside for evacuation of wounded from Shanghai front approximately one half have been damaged beyond use by bombs and machine gun fire from planes. Informant states these trucks and cars are consistently attacked by Japanese planes, collection of wounded can proceed only at night and transportation the night following collection requiring two days to collect and bring wounded to Nanking with result that large number die en route. Authorities local Red Cross hospital for seriously wounded only state institution now has 1500 patients who survived this process, all being septic cases  
because

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Department of State letter, August 10, 1972  
By Milton P. Glavin NARS, Date 12-18-75

3- No. 900, November 9, from Nanking.

because of impossibility of giving them early attention.

Five. Sent to Department, repeated to Peiping for  
airmail to Tokyo to Shanghai to Hankow for Comyangpat to  
Canton.

JOHNSON

CSB:

DECLASSIFIED: E.O. 11652, Sec. 3(E) and 5(D) or (E)  
Department of State letter, August 10, 1972  
By Milton D. Gustafson NARS, Date 12-18-75

November 10 1937

In reply refer to  
FE 793.94/11036

My dear Mr. Swift:

As of possible interest to the American Red Cross  
I may say that the Department has received from the  
American Embassy at Nanking a telegram under date Novem-  
ber 9 reading in part as follows:

"According to local foreign medical source,  
of 100 motor trucks and 100 railway cars set  
aside for evacuation of wounded from Shanghai  
front approximately one half have been damaged  
beyond use by bombs and machine gun fire from  
planes. Informant states these trucks and cars  
are consistently attacked by Japanese planes,  
collection of wounded can proceed only at night  
and transportation the night following collec-  
tion requiring two days to collect and bring  
wounded to Nanking with result that large num-  
ber die en route. Authorities local Red Cross  
hospital for seriously wounded only state in-  
stitution now has 1500 patients who survived  
this process, all being septic cases because of  
impossibility of giving them early attention."

Sincerely yours,

*M. M. Hamilton*

Maxwell M. Hamilton,  
Chief,  
Division of Far Eastern Affairs.

OK ✓  
NOV 10 1937

Mr. Ernest J. Swift,  
Vice Chairman, American National Red Cross,  
Washington, D.C.

A true copy of  
the signed origi-  
nal

*RCM*  
FE:RCM:EJL  
11/9/37

FE

793.94/11036

F/FG

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Department of State letter, August 10, 1972  
By Milton D. Gustafson NARS, Date 12-18-75

DOCUMENT FILE

NOTE

SEE 893.00 P.E. Hankow/124 FOR #337

FROM Hankow ( Josselyn ) DATED Sept. 29, 1937  
TO NAME 1-1127 \*\*\*

REGARDING: Relations between Japan and China;  
Far Eastern Conflict: Reports concerning--

mr

793.94/11037

7137  
11037

B. Relations with other countries

1. Japan

August opened in an atmosphere of tension.<sup>1</sup>

Hostilities were still confined to the North but disquieting signs pointed to their probable extension to other areas. The plainest of these portents was the evacuation, on orders from Tokyo, of all Japanese residents from this consular district, the closing of the Japanese consulates, and the withdrawal of the Japanese gunboats and merchant ships to Shanghai. This wholesale withdrawal was carried out quickly and efficiently. Japanese from Szechuan, Hupeh, Hunan and Honan concentrated during the early days of the month at Hankow whence they were despatched to Shanghai by Japanese river steamers, which picked up the Japanese at Kiukiang en route. At 3 o'clock on the afternoon of August 11th at a solemn ceremony at the Japanese Consulate General in Hankow the Japanese flag was lowered and encased, in the presence of the Acting Japanese Consul General, Japanese consular, naval and military officers, and a few remaining civilians;

<sup>1</sup> At Hankow the Consular Body expressed their concern to the Mayor and the Acting Japanese Consul General and their hope that hostilities might be avoided there. (Telegrams, August 4, 10 a.m.; despatch No. 477 (No. 317 to the Department), August 4, 1937)

Political report  
August 1937  
Hankow, China

-3-

civilians; the little group, the last representatives of the 2,000 Japanese who until a few weeks before had constituted the Japanese population of Central China, then boarded the YOYANG MARU which, in the midst of a heavy storm of wind and rain, bore them down river.<sup>1</sup>

The Chinese authorities at Hankow, in accordance with an agreement reached between the Mayor and the Japanese Acting Consul General, facilitated the evacuation of the Japanese and upon the departure of the Consul General took over the administration of the Concession. They also assumed responsibility for the protection of all Japanese-owned buildings at Hankow. Similar arrangements with respect to Japanese premises were made at other ports.<sup>2</sup>

The evacuation of the Concession and the withdrawal of the Japanese gunboats relieved Hankow of the danger of a local clash and eased the immediate tension, but the implications of the general withdrawal of Japanese from the interior were plain.<sup>3</sup> The Chinese authorities were not oblivious to them; air defence measures were instituted and on August 19th were resorted to for the first time when Japanese planes appeared over Kiukiang headed towards Hankow. Five subsequent raids in this direction were either repulsed or failed to materialize; in only one instance

did

- 1 They disembarked at Nanking and took the railway to Tsingtao en route for Japan, being prevented from reaching Shanghai by the blocking of the river.
- 2 Despatch No. 479, August 7 (522 August 9 to Department). Telegrams, August 2, 11 a.m.; August 2, 12 noon; August 2, 4 p.m.; August 6, 11 a.m.; August 7, 11 a.m.; August 10, 6 p.m.; August 11, 11 a.m.; and August 11, 5 p.m.
- 3 Hostilities broke out at Shanghai on August 15th.

Political report  
August 1937  
Hankow, China

-4-

did the Japanese planes arrive within striking distance of Hankow and then they dropped their bombs several miles below the city. The populace, Chinese and foreign behaved well but their morale has not been severely tested.<sup>1</sup> Other places in the consular district were attacked by Japanese planes; the residence of the American ladies of the Methodist Mission at Nancheng, a cotton mill at Kiukiang owned by Andersen, Meyer & Company, and a Roman Catholic Seminary at Yukiang (餘江) (all in Kiangsi province) were among the American properties bombed and damaged; there were no American casualties.<sup>2</sup> Little was accomplished in these initial operations which were recognized, however, as a prelude to more serious efforts and intended to feel out the Chinese dispositions.

On August 13th, the day battle was joined at Shanghai, the Chinese Government announced that they had closed the Yangtze below Chinking (鎮江) (by sinking a number of vessels across the channel and removing aids to navigation below that point). Shipping in the lower Yangtze was temporarily disorganized but by the end of the month had been resumed, with Nanking as the eastern terminal, on restricted but fairly regular schedules.<sup>3</sup> The two commercial air lines adjusted their schedules to omit Shanghai and Nanking; Eurasia moved their head office to Sian (Shensi);

<sup>1</sup> Telegrams, August 19, 4 p.m.; August 21, 11 p.m.; and August 23, 6 p.m.  
<sup>2</sup> Telegrams, August 20, 4 p.m. and August 26, 8 p.m.; despatches No. 489, August 30 and No. 490, August 30.  
<sup>3</sup> Chinese shipping companies repainted their ships to resemble those of one or other of the British lines.

Political report  
August 1937  
Hankow, China

-5-

(Shensi); the China National Aviation Corporation transferred theirs to Hankow. The railways continued to operate passenger services but military requirements made it impossible for them to meet the demands of commercial shippers. Import and export trade came to a virtual standstill.

A steady procession through Hankow of important leaders bound for or from Nanking testified to the gravity of the situation and the notable degree of unity with which the country is facing it. These personages included such well-known adherents of Chiang Kai-shek as Generals Ho Cheng-chun and Ku Tzu-tung, careerists like Ho Chien, Governor of Hunan, semi-independent warlords like Liu Hsiang of Szechuan and Lung Yun (龍雲) of Yunnan, and representatives of the Kwangsi generals and of the Communists.

Although large numbers of troops were withdrawn from Central and Western China order was maintained as well as usual; no anti-foreign incidents were reported.

On August 25th the Consulate General, on instructions from the Embassy, warned Americans that hostilities might spread and be prolonged and that egress from China might be cut off, and advised them to leave the country. A number had already evacuated places which were in dangerous proximity to the scene of conflict but few had left China at the end of August.<sup>1</sup>

2. Great

<sup>1</sup> Despatches No. 481, August 10; 482, August 11, 483, August 12, and 484, August 27. Telegrams, August 4, 10 p.m.; August 6, 11 a.m.; August 10, 5 p.m.; August 12, 11 a.m.; August 13, 4 p.m.; August 14, 12 noon; August 15, 12 noon; August 16, 5 p.m.; August 17, 10 a.m.; August 25, 5 p.m.; and August 31, 6 p.m.



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Department of State letter, August 10, 1972  
By Milton P. Gustafson NARS, Date 12-18-75

DOCUMENT FILE

NOTE

SEE 848a.00 P. R./99 FOR Despatch #1260

FROM Union of South Africa (Russell) DATED Oct. 7, 1937  
TO NAME 1-1127 870

REGARDING: Sino-Japanese conflict. Approval in Union of South Africa of attitude taken by the British Government with reference to the attack on British Ambassador to China.

Attack on British Ambassador to China. - The firm attitude taken by the British Government with reference to the attack by Japanese airmen on Sir Hughe Knatchbull Huggessen, the British Ambassador to China, was received with outspoken approval in South Africa. It is considered here that British policy has been too lenient in recent months in the face of frequent provocation, and that only by making it perfectly clear that such provocative acts will not be countenanced can their repetition be prevented.

PP

793.94 / 11038

11038

DECLASSIFIED: E.O. 11652, Sec. 3(E) and 5(D) or (E)  
Department of State letter, August 10, 1972  
By Milton D. Quisenberry NARS, Date 12-18-75

DEPARTMENT OF STATE

DIVISION OF FAR EASTERN AFFAIRS

November 10, 1937.

Mr. Ballantine made inquiry over the telephone of Captain Hustvedt in regard to the Navy's views on the attached telegram from the Commander-in-Chief at Shanghai. Captain Hustvedt stated that the telegram called for no action on the part of the Navy Department. As the entry of the Dollar Line and other American vessels into the Yangtze River and Shanghai Harbor had been suspended on the advice of the Admiral because of the local hostilities there, Captain Hustvedt thought that the Admiral was now making it known that the danger had passed away. Captain Hustvedt thought that the Admiral's views would be communicated to the agents of the shipping companies at Shanghai and would gradually percolate among American shipping circles. In reply to a question by Mr. Ballantine as to whether a notification by the State Department modifying the one issued to the press on September 10 and embodied in the Hydrographer's memorandum of September 11 would be helpful to American shipping, Captain Hustvedt said he thought it would and that the Hydrographer would probably be glad to give publicity to any notification along this line that the State Department might wish to make.

*JWB*  
JWB/REK

DECLASSIFIED: E.O. 11652, Sec. 3(E) and 5(D) or (E)  
Department of State letter, August 10, 1972  
By Milton P. Gustafson NARS, Date 12-18-75

72

TELEGRAM RECEIVED

JR

CINCAF

FROM

November 9, 1937

Rec'd 10:05 a.m.

ACTION: OPNAV

INFO: AMCONSUL SHANGHAI  
AMEMBASSY NANKING



009. It is believed safe for shipping now to use  
Shanghai as regular port of call. There is no instance  
of a merchant ship being damaged in this port as a result  
of military operations. On the advice of CINCAF the SS  
STEEL TRAVELER entered Shanghai twenty-nine October remaining  
nine days discharging cargo without difficulty. 1912.

KLP

793.94

793.94/11039

NOV 28 1940

LEAD

F/FG

DECLASSIFIED: E.O. 11652, Sec. 3(E) and 5(D) or (E)  
Department of State letter, August 10, 1972  
By Milton P. Alvesten NARS, Date 12-18-75



LEGATION OF THE  
UNITED STATES OF AMERICA

Bern, October 27, 1937

No. 73

L. N. No. 37

Subject: Far East Advisory Committee.

DIVISION OF  
EUROPEAN AFFAIRS  
NOV 19 1937  
DEPARTMENT OF STATE

793.94  
note  
793.94 Adv. Committee

Grade		In U S A	
For			

RECEIVED  
DEPARTMENT OF STATE

1937 NOV 9 AM 11 17

The Honorable  
The Secretary of State,  
Washington.

Division of  
FAR EASTERN AFFAIRS  
NOV 10 1937  
Department of State

793.94/11040

Sir:

Referring to my telegram No. 28, dated October 5,  
7 p.m., from Geneva, transmitting the text of the Second  
Report of the Subcommittee to the Far East Advisory Com-  
mittee, in which it was recommended that the Advisory  
Committee "should in any case hold a further meeting  
(whether at Geneva or elsewhere) within a period of one  
month", I have the honor to enclose herewith a copy of  
a communication, dated Geneva, October 25, 1937, from  
the Secretary General of the League of Nations to the  
Members of the Committee on behalf of the Chairman, who  
suggests that, if no objection is made, the proposed  
meeting of the Advisory Committee be postponed in view

of

1937 NOV 8 10 11

F/FG

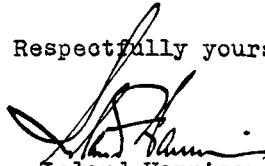
11040

DECLASSIFIED: E.O. 11652, Sec. 3(E) and 5(D) or (E)  
Department of State letter, August 10, 1972  
By Milton D. Quisenberry NARS, Date 12-18-75

-2-

of the meeting of the Brussels Conference. Mr. Munters also proposes to convoke the Committee at such time as may appear to be desirable, having in view the work of the Brussels Conference and taking account of any proposals which his colleagues on the Committee may make to him on the subject.

Respectfully yours,



Leland Harrison

Enclosure:  
From League of Nations,  
October 25, 1937.

File No. 711

LH/mk

In quintuplicate to Department

Copies to American Delegation, Brussels,  
and American Consulate, Geneva

DECLASSIFIED: E.O. 11652, Sec. 3(E) and 5(D) or (E)  
Department of State letter, August 10, 1972  
By Milton D. Gustafson NARS, Date 12-18-75

(Enclosure to despatch No. 73, October 27, 1937)

C O P Y

LEAGUE OF NATIONS

On behalf of the Chairman of the Far-East Advisory Committee, the Secretary-General has the honour to make the following communication to the Members of that Committee:

In view of the meeting of the Brussels Conference on October 30th, the Chairman of the Advisory Committee believes that his colleagues will agree that it is necessary to reconsider the decision of the Committee to meet within the period of one month, from October 5th.

If no objection is made to this view, the Chairman will conclude that his colleagues agree to postpone the meeting, and will request the Secretary-General so to inform the Committee. Subsequently he would propose to convoke the Committee at such time as may appear desirable, having in view the work of the Brussels Conference, and taking account of any proposals which his colleagues on the Committee may make to him on the subject.

Should any Member of the Committee desire to make, for transmission to the Chairman, any observations in regard to the foregoing communication, the Secretary-General would be grateful if he might receive them before the end of the present week.

Geneva, October 25th, 1937.

Mr. Leland Harrison,  
Minister of the United States  
of America in Berne,  
3, rue du Mont Blanc,  
Geneva.

DECLASSIFIED: E.O. 11652, Sec. 3(E) and 5(D) or (E)  
Department of State letter, August 10, 1972  
By Milton P. Gustafson NARS, Date 12-18-75

**TELEGRAM RECEIVED**

JR

COMYANGPAT

FROM

NOVEMBER 9, 1937

Rec'd 1:02 p.m.

ACTION: OPNAV

INFO: SECOND BRIGADE USMC  
YANGPAT  
COMSUBRON FIVE  
COMDESRON FIVE  
CINCAF  
COMSOPAT  
AMEMBASSY HANKING  
ALUSNA PEIPING

Division of  
FAR EASTERN AFFAIRS  
NOV 9 - 1937  
Department of State

793.94

0009. Yangtze river ports quiet. 1941

KLP

793.94/11041

NOV 12 1937  
F/FG  
FILED

DECLASSIFIED: E.O. 11652, Sec. 3(E) and 5(D) or (E)  
Department of State letter, August 10, 1972  
By Milton P. Gustafson NARS, Date 12-18-75

*EA*

TELEGRAM RECEIVED

MBo <sup>apo</sup>

FROM COMSOPAT

November 9, 1937

Rec'd 1:09 p.m.

ACTION: OPNAV.  
INFO: 2ND BRIG USMC  
COMSUBRON 5  
COMDESRON 5  
CINCAF  
COMYANGPAT  
USS MARBLEHEAD  
AMEMBASSY NANKING  
ALUSNA PEIPING

*793.94*

Division of  
FAR EASTERN AFFAIRS  
NOV 9 - 1937  
Department of State  
*had* *tel* *AS*

0109 South China ports quiet 2000.

KLP:

793.94/11042

FILED  
NOV 12 1937  
F/FG



DECLASSIFIED: E.O. 11652, Sec. 3(E) and 5(D) or (E)  
Department of State letter, August 10, 1972  
By Milton P. Gustafson NARS, Date 12-18-75

*F*

TELEGRAM RECEIVED

MBo

FROM

CINCAF

November 9, 1937

Rec'd 1:38 p.m.

ACTION: OPNAV  
INFO: 2ND BRIGADE USMC  
AMCONSUL SHANGHAI  
COMSUBRON 5  
CGINDESRON 5  
COMYANGPAT  
COMSOPAT  
USS MARBLEHEAD  
AMEMBASSY NANKING  
ALUSNA PEIPING

*NOV 9 1937*  
*sub to*  
*and report*  
*Nov 9*  
*V*

Division of  
FAR EASTERN AFFAIRS  
NOV 9 1937  
Department of State

793.94

0009 Chinese executed orderly but hurried withdrawal  
Hungtao Lungwha areas during night. Reliable reports in-  
dicate main lines Liuho Taitsang Anting Tsingpu Sungkiang  
Chapu although Japanese claim Sungkiang occupied. Small  
Chinese units isolated Lungwha Nantao. Japanese state  
troops moving south will join southern forces vicinity  
Minhong tonight. Extensive bombing Kashing Cashen Sung-  
kiang Taitsang during day. Settlement police occupying  
western district east of railroad. Settlement quiet 2025.

793.94/11043

CSB:

NOV 11 1937  
F/FG

DECLASSIFIED: E.O. 11652, Sec. 3(E) and 5(D) or (E)  
Department of State letter, August 10, 1972  
By Milton D. Gustafson NARS, Date 12-18-75

PREPARING OFFICE  
WILL INDICATE WHETHER  
Collect  
Charge Department  
OR  
Charge to  
\$

TELEGRAM SENT

Department of State  
DEPARTMENT OF STATE

TO BE TRANSMITTED  
CONFIDENTIAL CODE  
NONCONFIDENTIAL CODE ✓  
PARTAIR  
PLAIN

Washington.

1937 NOV 9 PM 5 29

November 9, 1937.

11043

AMDELGAT, DIVISION OF COMMUNICATIONS  
BRUSSELS (BELGIUM).

50

Summary of Commander-in-Chief's telegram of November 9 from Shanghai:

Chinese executed an orderly but hurried withdrawal from Hungjao and Lungwha areas during the night. Reliable reports indicate that main lines extend through Liuho, Taitsang, Anting, Tsingpu, Sungkiang and Chapu, although Japanese claim Sungkiang occupied. Small Chinese units are isolated at Lungwha and Nantao. Japanese state that troops moving south will join their southern forces in the vicinity of Minhang tonight. Extensive bombing of Kashing, Sungkiang, and Taitsang occurred during the day.

793.94/11043

Waller, Acting  
(M.A.H.)

NOV 9 1937 PM

FE:JCV:NN

FE  
M.A.H.

Enciphered by \_\_\_\_\_

Sent by operator \_\_\_\_\_ M., \_\_\_\_\_, 19\_\_\_\_

F/HG

DECLASSIFIED: E.O. 11652, Sec. 3(E) and 5(D) or (E)  
Department of State letter, August 10, 1972  
By Milton D. Gustafson NARS, Date 12-18-75

793,94.

DOCUMENT FILE

NOTE

SEE 893.00 P.R. Tientsin/113 FOR Despatch #549

FROM Tientsin ( Caldwell ) DATED Oct. 6, 1937  
TO NAME 1-1127

REGARDING: Sino-Japanese situation: Japanese military activities:  
Report on-, for month of September, 1937, in Tientsin.

aa

793.94/11044

11044

Japan.

1. Military Activities. General Count H. Terauchi arrived in Tientsin on September 2 and assumed command of the Japanese forces in North China on September 7. There were rumors current that he intended moving his headquarters from Tientsin to Peiping, but this did not take place during the month.

Japanese military forces continued to advance in Hopei and North Shansi throughout the month. On the Tsinpu railway the Chinese were pushed back from the vicinity of

Tientsin

\* My despatch No. 544, dated September 24, 1937.

- 2 -

Tientsin to the Shantung border; on the Pinghan railway the Japanese claimed to have advanced to the vicinity of Hsinlo, about thirty miles north of Shihkiachuang, the junction of the Pinghan railway and the railway leading into Shansi. In North Shansi the Japanese captured Tatungfu early in the month and at the end of the month claimed to have penetrated through the mountain passes of North Shansi and captured Taihsien, an important strategic center in North Shansi south of the Great Wall. In Suiyuan, the Japanese claimed that the joint Japanese-"Manchukuo"-Mongolian forces had captured Pailingmiao and were advancing towards Kweisui.

Casualties on both sides during this fighting were apparently quite heavy, although the Japanese as usual minimized their losses and exaggerated the losses of the Chinese. The Chinese losses were no doubt heavier than those of the Japanese due to the great superiority of Japanese armament and leadership. It is not possible in Tientsin to obtain any accurate estimate of the numbers of Chinese forces which have been operating against the Japanese in North China, but it does not appear likely that in actual engagements the Chinese have greatly outnumbered the Japanese.

The Japanese maintained complete supremacy of the air in North China. Chinese airplanes were reported to have been seen in North China only on two occasions and in very small numbers.

- 3 -

numbers.

Tientsin remained the principal base of the Japanese military forces operating in Hopei with large quantities of war material stored in the 3rd Special Area to which small ships capable of navigating the river with ease were constantly adding, apparently bringing their cargo principally from Port Arthur. The Japanese flying field was flooded during the month and they therefore took over the golf course in the 3rd Special Area from which some forty or fifty airplanes were operating constantly. The principal objection to this move from the American point of view is that the airfield is immediately adjacent to the Standard Oil installation in which large quantities of gasoline and kerosene are stored.

Apparently the Japanese anticipate the possibility of air raids on Tientsin by the Chinese, since they have installed a number of search lights and a very considerable number of anti-aircraft guns. A large number of the anti-aircraft guns are located in the Peining Railway Park immediately east of the Central Station and not very far from the Japanese airfield which is now flooded.

2. Political Activities. A considerable number of prominent Japanese visited Tientsin and Peiping singly and in groups during the month to investigate conditions and to "comfort" the troops. Among the more prominent of these  
were

- 4 -

were Mr. H. Arita, former Minister of Foreign Affairs, and Mr. T. Kato, now Japanese Minister to Canada, both of whom were formerly Consuls General in Tientsin, and Major General Kita. Whether the two gentlemen first named visited North China for their own edification or to renew their contacts here and advise regarding the political control of the area is not known.

The Japanese celebrated their captures of Paotingfu and Ts'angchow by parades and speech-making in the Japanese Concession at Tientsin on September 26.

Reports were current during the month of efforts being made by the Japanese to set up a political organization for North China which would control Hopei and Chahar, and possibly also Shantung, Shansi and Suiyuan. No tangible results of such efforts were apparent.\* In this connection it was reported that attempts were being made by the Japanese to reach a political settlement with Han Fu-chu ( 韓復榘 ), eliminating him from Sino-Japanese hostilities in North China.\*\*

10-1

*Handwritten mark*

TELEGRAM RECEIVED

JR

GRAY

FROM

Shanghai via N. R.

Dated November 9, 1937

Rec'd 2:23 p.m.

CHINESE BEING  
U.N.I. AND MILITARY

Secretary of State,

Washington.

949, November 9, 6 p.m.

My 945, <sup>//030</sup> November 8, 7 p.m.

Division of  
FAR EASTERN AFFAIRS  
NOV 10 1937  
Department of State

Chinese troops in the western area south of Soochow Creek commenced an orderly withdrawal to the southwest about midnight last night. Japanese troops have today occupied the entire area from Soochow Creek south to Lungwa aerodrome. Several hundred Chinese troops are said to have been caught in the area between Nantao and Lungwa. Only one or two fires have been reported in the Hungjao Road residential district but Chinese troops before withdrawing from the Nantao-Lungwa area fired a number of buildings.

Withdrawal of Chinese forces from the immediate vicinity of Shanghai is said by military observers to have been brought about by the rapid and successful Japanese thrust from Hangchow Bay towards Sungkiang which the Japanese appear to have either captured or surrounded. The Japanese report that Nanhsiang is burning and that a Chinese withdrawal from that front is imminent. It is not yet clear where the

Chinese

793.94/11045

F/FG  
FILED

NOV 13 1937



DECLASSIFIED: E.O. 11652, Sec. 3(E) and 5(D) or (E)  
Department of State letter, August 10, 1972  
By Milton D. Quisenberry NARS, Date 12-18-75

16-2

-2- #949, November 9, 6 p.m., from Shanghai via N.R.

Chinese will establish their new line. Settlement and French  
concession quiet. Repeated to Nanking and Peiping.

GAUSS

KLP

DECLASSIFIED: E.O. 11652, Sec. 3(E) and 5(D) or (E)  
Department of State letter, August 10, 1972  
By Milton P. Gustafson NARS, Date 12-18-75

TELEGRAM RECEIVED

RB  
This telegram must be  
closely paraphrased be-  
fore being communicated  
to anyone.

FROM

RADIO SHANGHAI

Rec'd November 9, 1937

7:20 p. m.

*Telegram to  
Aundilgal drafted  
Nov. 10*

FROM: RADIO SHANGHAI  
TO: NAVY DEPARTMENT  
INFO: CINCAF  
AMERICAN EMBASSY NANKING  
ALUSNA PEIPING

Division of  
FAR EASTERN AFFAIRS  
NOV 10 1937  
Department of State

*793.94*

793.94/11046

0009 Orderly withdrawal effected by Chinese army  
from Soochow Creek lines toward Tsingta<sup>an</sup> beginning mid-  
night last night. Retirement forced by Nipponese thrust  
from Chapu toward Sungkiang. Japanese moving in cautiously.  
Observer Alusna Shanghai inspected entire Sino lines Soochow  
Creek yesterday battle was proceeding spiritedly and no  
intention immediate retrograde movement other than observed  
for past week. If Chinese retire to above mentioned water-  
way--Kashing lines doubtful whether soldiers of Rising Sun  
will pursue further. 1620

NFL

EMB

NOV 10 1937  
F/FG  
FILED

DECLASSIFIED: E.O. 11652, Sec. 3(E) and 5(D) or (E)  
Department of State letter, August 10, 1972  
By Milton D. Gustafson NARS, Date 12-18-75

11-1

### TELEGRAM RECEIVED

RB  
This telegram must be closely paraphrased before being communicated to anyone.

FROM CINCAF

Rec'd November 9, 1937

NOV 10 1937

*Telegram to Shanghai drafted Nov. 10.*

7:20 p.

Division of FAR EASTERN AFFAIRS  
NOV 10 1937  
Department of State  
*100*

FROM: CINCAF

TO: NAVY DEPARTMENT *(for action)*  
AMERICAN CONSUL, SHANGHAI } *For information*  
AMERICAN EMBASSY, NANKING }  
*Alusna Tokyo*

793.94

0009 Letter from Admiral Hasegawa received today same subject my cipher fourth this month. In substance following: I have honor forward you reply of Commander Imperial Japanese Army forces regarding question use of Soochow Creek which you and Admiral Little brought up on board HIS MAJESTY'S SHIP IDZUMO four November; army believes section this creek passing through and bounded both sides by International Settlement is no part thereof. In view of this we consider have right navigate this waterway whenever in our opinion considered necessary.

In cases where Nippon Army uses subject stream navy may cooperate. Recommend that since Chinese were denied use above river in sector Baker for military purposes State Department protest against its use in same area by Japs as violation neutrality we have been observing toward each of contending forces. 1910

NPL

EMB

11

793.94/11047

FILED

NOV 13 1937

F/FG

DECLASSIFIED: E.O. 11652, Sec. 3(E) and 5(D) or (E)  
Department of State letter, August 10, 1972  
By Milton P. Gustafson NARS, Date 12-18-75

11-2

TELEGRAM SENT

PREPARING OFFICE  
WILL INDICATE WHETHER

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Department of State

TO BE TRANSMITTED  
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PARTAIR  
PLAIN

Washington, "A"

1937 NOV 12 PM 6 30  
November 12, 1937.

AMERICAN CONSUL, DIVISION OF COMMUNICATIONS AND RECORDS  
SHANGHAI (China). via NR

This cable was sent in confidential Code. It should be carefully paraphrased before being communicated to anyone. A

RUSH.

✓ 544 Reference Commander-in-Chief's 0012-1930. 793.94/11083

With regard to Japanese use of Soochow Creek, Department is of the opinion that action, if any, in opposition thereto should be confined solely to appropriate representations. Inform Commander-in-Chief.

793.94/11047

*[Handwritten signature]*

793.94/11047

The substance of this telegram was discussed with Captain Huxford and received his approval.  
recy

FE:RCM:EJL

*[Handwritten initials]*  
FE

Enciphered by \_\_\_\_\_

Sent by operator \_\_\_\_\_ M., \_\_\_\_\_, 19\_\_\_\_

F/FG

DECLASSIFIED: E.O. 11652, Sec. 3(E) and 5(D) or (E)  
Department of State letter, August 10, 1972  
By Milton D. Gustafson NARS, Date 12-18-75

11-3.

PREPARING OFFICE  
WILL INDICATE WHETHER  
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TELEGRAM SENT

Department of State  
DEPARTMENT OF STATE

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TO BE TRANSMITTED  
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NONCONFIDENTIAL CODE   
PARTAIR  
PLAIN

Washington,

Naval Radio

1937 NOV 10 PM 4 14  
November 10, 1937.

DIVISION OF  
AMERICAN CONSUL COMMUNICATIONS  
AND RECORDS  
SHANGHAI (China).

*4 pm*

*534*

Commander-in-Chief's 0004-2210 and 0009-1910.

*/11047*

Department would appreciate receipt by naval radio of  
a statement of your views and recommendations on the matter.

*793.94/11047*

*Welles*  
Acting

*HRW*

793.94/11047

*rev*  
FE:RCM:EJL

FE  
*m.m.H.*

*A-w*

*CR*  
NOV 10 1937.PM

Enciphered by \_\_\_\_\_

Sent by operator \_\_\_\_\_ M., \_\_\_\_\_, 19\_\_\_\_

F/FG

DECLASSIFIED: E.O. 11652, Sec. 3(E) and 5(D) or (E)  
Department of State letter, August 10, 1972  
By Milton P. Gustafson NARS, Date 12-18-75

February 15, 1939.

The attached communication, with others, was received today with an unnumbered despatch of December 2, 1938 from Nanking signed by Charles A. Cooper, Third Secretary, with a statement reading as follows:

"This correspondence, which was evidently prepared for transmission to the Department last year immediately prior to the preparations for the evacuation of the Embassy staff from Nanking, has only now been located in one of the cabinets in this office."

DCR

DECLASSIFIED: E.O. 11652, Sec. 3(E) and 5(D) or (E)  
Department of State letter, August 10, 1972  
By Milton P. Gustafson NARS, Date 12-18-75



EMBASSY OF THE  
UNITED STATES OF AMERICA  
Nanking, November 8, 1937.

No. 614

Subject: Speech by Dr. H. H. Kung Regarding  
Sino-Japanese Relations.

RECEIVED  
DEPARTMENT OF STATE

1939 FEB 16 PM 1 44

DIVISION OF  
COMMUNICATIONS  
AND RECORDS

Division of  
FAR EASTERN AFFAIRS  
FEB 17 1939  
Department of State

793.94/11047 1

The Honorable

The Secretary of State

Washington.

Sir:

1/

I have the honor to forward herewith a copy of a  
Central News Agency release reporting a speech delivered  
by Dr. H. H. Kung, Vice President of the Executive Yuan  
and Minister of Finance, on November 1, 1937, before the  
weekly memorial meeting of the Central Kuomintang. The  
report purports to quote in translation that part of Dr.  
Kung's speech which deals with Sino-Japanese relations.

In

MAR 4 1939

FILED

F/E/G

793.94

- 2 -

In opening Dr. Kung described briefly his visits to various European countries and the United States whence he had recently returned, having gone abroad in an effort to obtain loans for China, and he remarked on the impression which China's rapid advance in recent years had made upon the western world. He attributed his success in negotiating a loan in Great Britain for the construction of Chinese railways, a sale of silver in the United States, and other important financial and economic arrangements in other countries, after the outbreak of hostilities between China and Japan in North China, to the confidence reposed by foreign Powers in China's future and to the rising tide of world condemnation of Japan's aggressive actions against China.

In discussing the Brussels Conference and Sino-Japanese relations Dr. Kung stated that the Nine Power Treaty was drafted by the various Powers interested in the Far East with a view to curbing Japan's efforts to dominate Asia and eventually the world and thus sow the seeds of another world war. He pictured the Japanese military as having usurped the powers of Government in Japan and, encouraged by the world's inaction during the Manchurian incident in 1931, as being now driven on by insatiable lust for territorial expansion, which would eventually involve the whole world. He asserted that Japan's efforts are directed toward forcing the United States and European nations to abandon their territorial possessions in the Far East. China, he said, was fighting the world's battle and he expressed the hope that the Powers represented at Brussels would "uphold the letter and spirit of the Nine Power Treaty, at least as courageously and resolutely as the Chinese people have been resisting their aggressor".

In



DECLASSIFIED: E.O. 11652, Sec. 3(E) and 5(D) or (E)  
Department of State letter, August 10, 1972  
By Milton D. Blustein NARS, Date 12-18-75

- 3 -

In a recent conversation which I had with Dr. Kung he privately expressed the same firm belief in Japan's territorial designs and the same view that China was fighting the world's battle that he is quoted as having expressed before the Kuomintang Headquarters.

Respectfully yours,

*Nelson Trusler Johnson*

Nelson Trusler Johnson.

✓  
Enclosure:

- 1/ "Kung Talks on China's War of Resistance",  
from Central News Agency release of  
November 1, 1937.

DJ:Hsi

Original and four copies to the Department.  
Copy to Peiping.

DECLASSIFIED: E.O. 11652, Sec. 3(E) and 5(D) or (E)  
Department of State letter, August 10, 1972  
By Milton P. Gustafson NARS, Date 12-18-75

CENTRAL NEWS AGENCY

Release of November 1, 1937.

KUNG TALKS ON CHINA'S WAR OF RESISTANCE

Nanking, Nov. 1: Japan's policy of war and aggression is a serious menace to the peace and vital interests not only of China but of all peace-loving nations, particularly of those who are signatories to the Nine-Power Treaty, and therefore both justice and self-interest demand that these Powers should take concerted action to uphold the letter and spirit of the Nine-Power Treaty as courageously and resolutely as the Chinese people have been resisting their aggressor. This is the keynote of a speech delivered by His Excellency Dr. H. H. Kung, Vice-President of the Executive Yuan and Minister of Finance, at the Weekly Memorial Meeting of the Central Kuomintang Headquarters at Nanking this morning, following his return to the National Capital from Europe.

After recalling his impressions on attending the Coronation of the British King and Queen as China's Special Ambassador and Chief Delegate, Dr. Kung reported briefly on his tours to various European countries and America for the purpose of studying recent economic and industrial progress in the West with a view to obtaining lessons for China's program of economic reconstruction. He expressed high appreciation for the great courtesy and friendly feelings which were extended to him and his associates by the Government and people alike in every country he visited and which, he said, went beyond him to the Government and people he had the good fortune to represent. Particularly was he glad to note in every country high appreciation and admiration for the notable progress which China has achieved in recent

-2-

recent years according to the adopted program of the National Government and under the enlightened leadership of Generalissimo Chiang Kai-shek.

As these countries realized more fully the immense possibilities of China's program for economic development, Dr. Kung said, they had one after another shown increasing interest and readiness to extend active co-operation in her reconstruction. Consequently, even the hostilities between China and Japan started by the Lukouchiao Incident did not shake their confidence in China's future and he was able to conclude silver sale and special credit arrangements in America, railway construction loan agreements in England, and important financial and economic arrangements in other countries, all aiming at promoting such co-operation.

Dr. Kung revealed that immediately following the commencement of hostilities with Japan, he was anxious to come home to do his bit, but he was obliged to postpone his departure for over two months in order to wind up important international arrangements abroad which he had previously undertaken.

Fortunately, during his prolonged stay in Europe, the various countries showed increasing measure of sympathy and understanding of the cause for which China is fighting. Finally, the League Assembly decided to convene the Nine-Power Conference and in its resolution enjoined all member States of the League from taking any action that might jeopardize China's struggle in self-defence. This action of the League together with the rising tide of world condemnation against Japan's aggression, he said, greatly facilitated his task in obtaining both moral and material

support

- 5 -

support for China's cause.

This happy situation Dr. Kung emphasized, was due largely to the remarkably gallant and stubborn resistance which China's soldiers put up at the front as well as the equally remarkable spirit of solidarity and sacrifice which her people demonstrated in the rear. "The Chinese people", he said, "have under the inspiring guidance of their leaders shown the world emphatically that they cannot be insulted and encroached upon with impunity. The soul of the nation has been pained, but it has been stirred, not depressed. The spontaneous worldwide sympathy and admiration for our courageous and righteous stand convinces me more than ever of the truth of the adage that 'Heaven helps those who help themselves'".

Turning to the Nine-Power Conference which is meeting at Brussels, Dr. Kung remarked as follows:

"As you all know, the Nine-Power Treaty is a product of the Washington Conference in 1922. During the World War, nations went through immense sacrifices and untold sufferings in order to defeat militarism. Following the war, the world was anxious to build up a strong bulwark of peace and security. But statesmen of various nations early realized the dangers of the Far Eastern situation to the future peace of the world. They saw how, when nations were engaged in a life and death struggle in the other hemisphere, Japan had taken advantage of their preoccupations to encroach upon China, then weak and disunited. They remembered how Japan, by forcing upon China the notorious 'Twenty-one Demands' and, through the equally notorious Nishihara Loan, had ruthlessly sought to establish domination over China as a means towards realizing her domination over Asia and finally the world and thus sowed the seed of another world war. Under the leadership of America, therefore, the Washington

Conference

- 4 -

Conference was convened which, among other things, sealed the Nine-Power Treaty. In that Treaty, the contracting Powers solemnly and unequivocally pledged to respect China's sovereignty, independence and territorial and administrative integrity and to reaffirm the Open Door principle with respect to China. Japan, then under the control of the Minseito Party which possessed a more enlightened world outlook, was a signatory to the Treaty.

"Unfortunately for the world as well as for China and Japan, the militarist clique soon came into power in Japan. Holding fast to their frantic belief in Japan's so-called 'divine mission' and to their mad policy of war and aggression, they have during the past decade or so usurped political power in Japan, carried on relentlessly further encroachments on China, and by intrigue and chicanery sought to incite the Far Eastern possessions of European Powers against their home countries under the banner of 'Asia for the Asiatics'. Their mania for war and aggression became so reckless that, following the abrogation of the Anglo-Japanese Alliance, they even openly advocated war against Great Britain. The world's inaction and impotence during their Manchurian adventure in 1931 further encouraged their defiance of international law and morality and increased their lust for power and supremacy. Read some of the numerous books written by Japan's responsible leaders to-day--such as 'Japan must Fight Britain,' 'An American-Japanese War is Inevitable', 'The Pacific Crisis', 'The Next World War' and a score of other books and magazines--and one can readily see how Japan's jingoists have been preparing to defy and dominate the whole world. Recently, they are reported to be agitating for severance of diplomatic relations with Great Britain. These together with such actions as Japan's objection to America's including Hawaii in her territorial map in 1898, her efforts in strengthening her naval and army forces against America and Soviet Russia, her silent but persistent economic penetration and colonization movements

- 5 -

into the Asiatic and Pacific territories and even home markets of Western Powers, and her sinister motives in Africa in planning the political marriage of one of her nobility to the Prince of Abyssinia, are but some of the manifestations of Japan's ambition for expansion and domination in the world.

"Ever since the Manchurian affair in 1931, both China and nations of the world have been extremely patient with Japan's militarists for the sake of preserving peace in the Far East, hoping against hope that a peaceful solution of the Far Eastern problems might be found. Unfortunately, Japan's militarists know no limit in their lust for aggression. While on the one hand professing the high-sounding principle that China and Japan, being of the same race and culture, should enjoy co-existence and co-prosperity, they have on the other pursued a relentless policy of territorial aggression, vandalism, inhuman killing of innocent civilians and wanton destruction of property in China, in utter disregard of the sanctity of international law and treaties and of the elementary concepts of decency and humanity. These lawless and brutal acts committed by Japan's militarist gangsters have made them not only the aggressor of China but public enemy No. 1 to the peace and collective security of the world.

"It is plain to the world that Japan's aggression endangers not only the national existence and sovereignty of China but disturbs the peace and security of all peace-loving peoples in the Pacific neighborhood, indeed, throughout the whole human community. In the modern conditions of international interdependence, no nation can escape from the effects of a major conflict in any part of the world. Besides, facts show that Japan's aggressive policy aims at undermining all foreign interests and rights wherever her mighty sword holds away and at eventually expelling America and Europe from their territorial possessions

- 6 -

possessions in Asia and in the Pacific. The experience of foreign interests in Korea and Formosa has given stern warning in the past; in Manchuria and Jehol they have already been kicked out by Japan through the "Open Door"; and a foretaste of what they may expect in other Chinese territory under Japanese domination has been clearly indicated in North China today. Above all, international lawlessness is contagious and if Japan's flagrant violations of international law and treaties are to extend unchecked, the future for world peace and democracy must be indeed dark.

"In a word, China in vigorously resisting Japan is fighting not only to defend her own territory and sovereignty but is also fighting the battle of all nations that still uphold the cause of humanity and international order. Upon China's fate in her present struggle therefore hang the vital interests of other nations as well.

"Horrified by Japan's lawlessness and brutalism, nations are meeting at Brussels to seek a peaceful settlement of the Sino-Japanese conflict on the basis of the Nine-Power Treaty. On our part, we are determined to resist Japan's militarists to the bitter end, cost what it may. It is our sincere hope that the nations sitting at the Brussels Conference will take effective concerted actions to curb Japan's militarism and uphold the letter and spirit of the Nine-Power Treaty, at least as courageously and resolutely as the Chinese people have been resisting their aggressor. The future of world peace, democracy and humanity hangs on the fate of the Brussels Conference.

"At the same time, we must be grateful to the nations for their efforts in the interests of peace and justice and should feel inspired and encouraged to fight the world's battle, regardless of whatever sacrifices and sufferings we may yet have to undergo.

"Finally,

DECLASSIFIED: E.O. 11652, Sec. 3(E) and 5(D) or (E)  
Department of State letter, August 10, 1972  
By Milton D. Gustafson NARS, Date 12-18-75

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"Finally, we hope that sane, liberal and far-sighted elements which cannot be lacking in Japan will in this critical hour courageously and forcefully bring their pressure to bear on Japan's political life, so that she may realize her mistakes, change her policy, restore her reputation and spare the world what would otherwise be the doom of human race."



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Department of State letter, August 10, 1972  
By Milton D. Gustafson NARS, Date 12-18-75



EMBASSY OF THE  
UNITED STATES OF AMERICA

*FL*  
*10*

No. 3506 1937 NOV 9 PM 2 31 LONDON, October 28, 1937.

SUBJECT: Shooting on October 24 of a British soldier from a Japanese airplane.

*793.94*  
*note*  
*393.4123*

For Distribution-Check		No.
Grade	To Be M.	
For	In U.S.A.	

DIVISION OF  
EUROPEAN AFFAIRS  
NOV 15 1937  
DEPARTMENT OF STATE

Division of  
FAR EASTERN AFFAIRS  
NOV 10 1937  
Department of State

793.94/11048

The Honorable  
The Secretary of State,  
Washington, D. C.

Sir:

I have the honor to quote below questions in the House of Commons and the Foreign Secretary's answers concerning the shooting in Shanghai on October 24 of a British soldier from a Japanese airplane:

"Sir Hugh O'Neill (by Private Notice) asked the Secretary of State for Foreign Affairs whether he has any information to give the House about the shooting at Shanghai from a Japanese aeroplane of Private McGowan of the Royal Ulster Rifles?"

"The Secretary of State for Foreign Affairs (Mr. Eden): At about 3.30 on Sunday afternoon, 24th October, a party of civilians, which included both British and American nationals, riding outside the Shanghai International Settlement but inside the section of the defence perimeter for which British troops are responsible, were machine-gunned by a Japanese aeroplane. The party took

cover.

NOV 16 1937  
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11048

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-2-

cover in a British military post just within the perimeter. The aeroplane circled round and made a direct attack on the post with machine-gun fire. The attack was repeated three times and Private McGowan, of the First Royal Ulster Rifles, was hit and, I deeply regret to say, died shortly afterwards. Three of the horses were killed and only by great good fortune did the remainder of the party and other soldiers at the post escape without injury. The aeroplane then carried out a machine-gun attack on three other British military posts along the perimeter and just within it. No casualties resulted in these instances. After the first attack the British post opened fire on the aeroplane.

"The Commander-in-Chief, China Station, at once reported this inexcusable attack to the Japanese Commander-in-Chief at Shanghai. The Japanese Government instituted inquiries forthwith and on the following day addressed a Note to His Majesty's Ambassador at Tokyo conveying an apology in the name of the Japanese Government, undertaking on completion of their investigations to deal suitably with the persons responsible for this incident and expressing readiness to make compensation for the damage sustained by the British subjects involved. His Majesty's Ambassador was instructed to acknowledge this note and to say that while His Majesty's Government accepted the apology and assurances at the same time they must make it clear that in their opinion retaliatory fire by the British posts was entirely justifiable, and must always be expected if ever a case of this kind should recur. The House will not expect me to add anything further to my answer pending the receipt of a report as to the steps taken by the Japanese Government to fulfil the undertaking they have given to deal suitably with the persons responsible.

"Sir H. O'Neill: Does my right hon. Friend's answer mean that the Japanese Government will pay to the family of this soldier such compensation as the British authorities think reasonable in the circumstances?

"Mr. Eden: Yes, Sir. I so understand it.

"Mr. Thorne: Can the right hon. Gentleman inform the House what was the calibre of the anti-aircraft guns that were used?

"Mr. Eden: The aeroplane fired with a machine gun, and the British soldiers replied with a Lewis gun.

"Captain Gunston: Has disciplinary action been  
taken

-3-

taken by the Japanese authorities, and if so, what was it?

"Mr. Eden: My hon. and gallant Friend will have observed that in the last part of my answer, I said that pending a report on the steps taken, I do not want to add anything further. Of course, we wish to know and to examine what those steps are."

Respectfully yours,

For the Ambassador:

*Herschel V. Johnson*  
Herschel V. Johnson  
Counselor of Embassy

HM/ALC

DEPARTMENT OF STATE  
DIVISION OF FAR EASTERN AFFAIRS

November 12, 1937.

Despatch no. 3521 from London of November 3, 1937, contains a memorandum of a further conversation between the Japanese Ambassador and Professor Gerothwohl. The Ambassador spoke of his efforts to persuade his Government to accept the invitation to the Brussels Conference, if only in order to present Japan's case. While admitting that Japan had violated the Nine Power Agreement, he said he could not see marked difference between Japan's action and that of Britain and the United States, as for example the bombardment of Nanking in 1928. The Ambassador referred again to his hope that something could be done to restrain the criticism of Japan by such organs as the Times. He contrasted unfavorably the attitude toward Japan of certain British officers in China with that of Craigie, and he deplored the refusal of the British authorities at Shanghai to accept the Japanese offer of a military detachment to render last honors to the British sentry killed by the action of a Japanese airman.

The Ambassador went on to discuss criticism in Japan, including the Privy Council of government miscalculations regarding the amounts of funds necessary to carry on hostilities. He spoke of his lack of faith in Italy and his doubts as to whether Germany's diplomacy was far-sighted or subtle.

*JMB*  
FE:JWB:HES

DECLASSIFIED: E.O. 11652, Sec. 3(E) and 5(D) or (E)  
Department of State letter, August 10, 1972  
By Milton P. Gustafson NARS, Date 12-18-75



EMBASSY OF THE  
UNITED STATES OF AMERICA

No. 3521

London, November 3, 1937.

SUBJECT: Secret Memorandum of Conversation  
between the Japanese Ambassador and  
Professor Gerothwohl

793.94

STRICTLY CONFIDENTIAL

For Distribution in  
Embassy Tokyo

1937 NOV 9 PM 2 32

RECORDS AND RECORDS

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11/20/37

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FAR EASTERN AFFAIRS  
NOV 10 1937  
Department of State

793.94/11049

DEPARTMENT OF STATE  
A-M/C  
NOV 20 1937  
ASSISTANT SECRETARY  
OF STATE

The Honorable  
The Secretary of State,  
Washington, D.C.

Sir:

I have the honor to refer to my strictly confidential despatch No. 3496 of October 26, 1937, forwarding copies of three secret memoranda furnished the Embassy by Professor Gerothwohl, a newspaper writer.

1/ I now have the honor to enclose a copy of another secret memorandum of a conversation between the Japanese Ambassador and Professor Gerothwohl, a copy of which

was

NOV 23 1937

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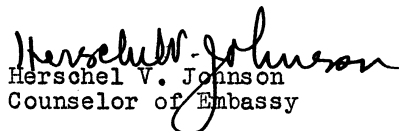
DECLASSIFIED: E.O. 11652, Sec. 3(E) and 5(D) or (E)  
Department of State letter, August 10, 1972  
By Milton D. Gustafson NARS, Date 12-18-75

-2-

was furnished the Embassy through the courtesy of the  
latter.

Respectfully yours,

For the Ambassador:

  
Herschel V. Johnson  
Counselor of Embassy

Enclosure:

1. Copy of secret memorandum  
dated October 28, 1937.

HVJ/MW

Handwritten copies  
Received FP

DECLASSIFIED: E.O. 11652, Sec. 3(E) and 5(D) or (E)  
Department of State letter, August 10, 1972  
By Milton D. Gustafson NARS, Date 12-18-75

Enclosure 1 in despatch No. 3521 of November 2, 1937,  
from the Embassy in London.

(COPY)

STRICTLY CONFIDENTIAL AND SECRET

Memorandum dated 28th October, 1937.

The Japanese Ambassador asked me to call yesterday. He thanked me for the trouble I had taken in getting the views he had expressed to me on the last occasion to the desired quarter, and for the frankness with which I had explained the British attitude, and my own personal one, towards the Far Eastern crisis. He evidently had derived great comfort from the restraint which Mr. Eden and more particularly the Prime Minister and the Government spokesmen in the House of Lords had displayed in the parliamentary debates of October 21st. He told me that he had since seen Eden, after avoiding any direct personal contact with the Foreign Office for several weeks. When I asked him the reason for his aloofness in this direction his reply both startled and impressed me. For he said that there was one thing he was determined never to do whilst carrying out his ambassadorial duties in London. This was to mislead the British Government by conveying to them any communication or opinion of the sincerity and accuracy of which he was not himself wholly convinced. I thought this declaration of his did great credit to both his character and his far-sightedness, and I agreed with him that in acting thus he was serving not only his own interests, by not impairing the confidence and respect which he had inspired in our diplomatic circles,

but

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Department of State letter, August 10, 1972  
By Milton D. Quisenberry NARS, Date 12-18-75

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but the long range interests of Japan as well. Eden, he proceeded, had begged him to point out to his Government the expediency of not declining the invitation to the Brussels Conference. As a matter of fact, he had done so before Eden had spoken to him on the subject and had done so again as a sequel to his talk with our Foreign Secretary. Unfortunately, he knew that his advice was not going to be followed by Tokio, for a number of reasons. Both popular opinion in Japan and the Government had been incensed by the League resolution condemning Japan as an aggressor; and both persisted in regarding the Brussels Conference as an emanation of the League, despite the efforts of British and American Ministers, and his own, to persuade Tokio that this was an entirely erroneous assumption. He himself had deplored the League resolution in question, because it was bound to furnish the Japanese opponents of conciliation, and of the Brussels Conference, with the argument that most of its members had already pre-judged Japan's conduct. But nevertheless, he had pressed on his Government the advisability of attending the Brussels Conference, if only in order to present fully the Japanese case and to refute the exaggerated and fantastic exaggerations circulated by Chinese propagandists and their friends. It might be true that Japan had now violated the Nine Power Treaty; but she had not been the first of its signatories to violate it. China had violated it as far back as 1928, when she attacked the foreign communities in the Yangste valley and elsewhere, and when British and American warships had actually bombarded Nanking. He could not see that



-3-

that there was so marked a difference between this drastic Anglo-American action against Chinese aggression on Anglo-American life and property in China, and Japan's present action in circumstances not perhaps identical, yet in their origin and initial development, not wholly dissimilar. Unfortunately, it was a fact that at some time or other all the Signatories to that particular Treaty had in turn violated it, whether in the letter or the spirit. Another circumstance which had made it difficult for his Government to accept the aforementioned invitation, and, unless it were checked, might make even British or Anglo-American mediation difficult of acceptance by Japan, was the violent hostility towards her shown by outstanding personages like the Arch-Bishop of Canterbury, and a responsible organ like The Times. It was impossible to make the Japanese people at home understand that the head of the State Church could adopt an attitude out of harmony with that of the Government; and it was almost equally impossible to persuade them that the attacks on Japan in the editorials of The Times were not due to official inspiration. He himself, in this connection, realised that The Times was pursuing an independent policy, neither inspired nor possibly altogether welcomed by the Foreign Office. But in Tokio everybody was convinced of the reverse. He wondered whether something could not be done to induce The Times to moderate at least the tone of its criticism of Japan. I replied that the Government, precisely because it was more cautious in the expression of its views, was more open than any newspaper which had embarked on a strong line

-4-

line of its own, to persuasion by a reasonable and well-founded statement of a case which it regarded as a bad one. There might be individuals in a position to bring influence to bear on the policy of The Times; but there were very few, and like the Archbishop himself, they were the reverse of favourable to Japan in the present instance. The Ambassador also complained of the prejudiced demeanour against Japan of so many British officials in China, contrasting that demeanour with Craigie's which, he said, had been a model of tact in circumstances of which he fully appreciated the awkwardness. It was a pity for example that the local British Authorities at Shanghai had so abruptly turned down the Japanese offer to send a military detachment to render the last honours to the British sentry who had been so tragically killed through callous and negligent conduct of Japanese airmen. But this gesture showed the readiness of the Japanese authorities to make prompt and full amends, both moral and material, and it might have been chivalrously accepted in the spirit which had prompted it. On this particular point I concurred in the Ambassador's view, despite the incessant provocation to which our troops and residents at Shanghai had been and were being subjected.

The Ambassador then proceeded to discuss the situation at Shanghai. He declared that the campaign there had been forced on Japan, deliberately, by the Chinese, in order to embroil her with foreign interests and Governments. According to him, the Japanese had been literally trapped into fighting in an uncongenial area, and the  
other

-5-

other Foreign Powers had been similarly trapped by the Chinese into a most uncomfortable position, which was bound and calculated to cause friction between them and Japan. I ventured to question whether this reading of the original trouble at Shanghai was a complete one. It was true I remarked that when the fighting first started there were no Japanese troops involved beyond the local garrison, but only marines and blue-jackets. To me it looked as if the Japanese Navy, being jealous, not for the first time of their military comrades in the North had eagerly seized on an unfortunate incident to start a show of their own; but, as in 1932, had found it too much for them so that the Army had had to come to the rescue. In support of his contention the Ambassador pointed out - what I thought singularly interesting and suggestive - that the troops employed at Shanghai until now had been reservists, not active army units, the younger conscript classes being kept in Japan and in Northern China. to deal with the possible Soviet attack. The army chiefs he asserted, considered Shanghai to be too far away in the South for safety, since the menace to Japan did not lie there. Accordingly their one thought was to extricate themselves from the Shanghai commitment as soon as possible, that is as soon as the Chinese had been pushed back to some distance, so that Shanghai and the neighbouring districts could be neutralised. He told me that the employment of the Reservists, most of them married men and fathers, around Shanghai, had aroused bitter feelings in Japan, on account of the heavy casualty lists. As a matter of fact he dwelt, as on the previous occasions, on the distaste of the Japanese people of all social strata for the present war.

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war. Incidentally he mentioned that he had received a copy of the Minutes of a recent Session of the Japanese Privy Council at which the Finance and War Ministers had been sharply and severely questioned and criticised because of their miscalculations of the funds necessary to prosecute the war. The sums actually provided in the original Budgetary estimates were ridiculously small in relation to the expenditure already recorded, and some of the most eminent Privy Councillors had expressed the gravest apprehensions about the drain on Japan's financial resources of a campaign which threatened to spread far and wide, and of which the early termination could not be guaranteed. This information would seem to furnish an elucidation of the reports from Tokio that the Japanese Government, and even the Japanese general staff, would no longer be averse from peace negotiations or mediation, if the latter by Great Britain and the United States alone, and not by the score of Powers represented at the coming Brussels Conference. But whether, at this stage, mediation on terms such as might be considered by London and Washington would be feasible is possibly doubtful - to my mind, still very doubtful.

Not for the first time I expressed the view that Japan would be well advised to resist Italo-German pressure designed to persuade her to acquiesce in Italian participation in the German Japanese Anti-Communist Pact of last year, for if Italy joined that Pact, the latter would be made to look at least as much a threat to ourselves as to Soviet Russia. The Ambassador reminded me that in December last he had not only concurred in my view, but had successfully

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fully urged on his Government to keep Italy out for this very reason. Today he was still of the same opinion, but he was afraid that the efforts of Italy to curry favour with Japan by pandering to Anti-British agitation there was almost overwhelming. The Italian fighting forces were literally embarrassing their Japanese colleagues by the effusiveness of their professions of undying friendship. And these compliments he feared, might have a good deal of effect in the present unfortunate popular atmosphere at Tokio. For himself the Ambassador had no confidence whatever in Italian good faith. He knew that Italy was capable of selling us one day to the Japanese and selling Japan to us on the following day. He had served as Ambassador in Rome, and he knew Mussolini, and disliked and distrusted him intensely. But when a man feels isolated he is glad to clutch at any straw, however deceptive. He was convinced that whether Italy was admitted to the German-Japanese Pact, her understanding with Japan would soon fizzle out. The German-Japanese Pact itself had never been popular with the Japanese nation, and how thin it was wearing might be seen was evidenced by the fact that Germany was still supplying China with arms, whilst German officers were still directing Chinese military operations. I asked him whether he had any definite information about Germany's attitude to the Brussels Conference. His information, which he regarded as definite, was that Germany would refuse to attend. I asked why. On this point he did not appear to be altogether sure of his ground. Perhaps it might be that Germany wished to keep in  
alignment

-8-

alignment with Japan; more probably however, being still anxious not to break with Great Britain and the United States, she did not want to find herself in a position where she would have to choose between them and Japan. I suggested that possibly Berlin was nursing the hope that the Conference would fail in its attempts at mediation and that in this case Germany might offer her own mediatory services, since she had certain sympathies and interests in both China and Japan? He replied that he doubted whether German diplomacy was as far-sighted and subtle. As a rule it was terribly clumsy. I agreed.

DECLASSIFIED: E.O. 11652, Sec. 3(E) and 5(D) or (E)  
Department of State letter, August 10, 1972  
By Milton P. Blustein NARS, Date 12-18-75

TELEGRAM RECEIVED

MBo

PLAIN

FROM Nanking via N.R.

<sup>apo</sup>  
AMEMBASSY PEIPING  
AM CONSUL SHANGHAI  
HANKOW

Dated November 10, 1937

Rec'd 8:08 a.m.

Secretary of State,  
Washington.

COPIES SENT TO  
O.N.I. AND M.I.O.

Division of  
FAR EASTERN AFFAIRS  
NOV 10 1937  
Department of State

73.94

882

903, November 10, 3 p.m.

Nine bombers accompanied by six pursuit flew over  
Nanking 12:50 p.m. today and dropped a few bombs in  
Ministry airfield area. Sent Department, repeated Peiping,  
Shanghai, Tokyo Hankow for Comyangpat.

JOHNSON

CSB:

793.94/11050

NOV 12 1937

FILED

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11

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Department of State letter, August 10, 1972  
By Milton D. Gustafson NARS, Date 12-18-75

DOCUMENT FILE

NOTE

SEE 793.94 Conference/211 FOR Tel #894, 9am

FROM China (Nanking) ( Johnson ) DATED Nov. 8, 1937  
TO NAME 1-1127 \*\*\*

REGARDING: Sino-Japanese conflict.

Press release of interview with Generalissimo Chiang Kai Shek: Quotes text of-, in which the Generalissimo outlines China's plan of resistance.

mr

793.94/ 11051

11051



~~AN~~  
~~ED~~  
FE

MBo

PLAIN

AMEMBASSY PEIPING

Nanking via N.R.

Dated November 8, 1937

Rec'd 11:55 a.m.

Secretary of State,

Washington.

894, November 8, 9 a.m. (SECTION ONE).

One. We received this morning from Foreign Office following press release.

*Note*  
*793.94*

"That China is not in favor of direct negotiations with Japan in settling the Far Eastern conflict, was made clear by Generalissimo Chiang Kai Shak in an interview this afternoon (November seventh). Generalissimo Chiang expressed himself as being optimistic concerning the military situation, and reaffirmed China's determination to continue her present struggle until justice is reestablished in this part of the world. The following are the principle questions asked and answers given during the interview.

211

Question. What does Your Excellency think if direct negotiations between China and Japan should be proposed at the Brussels Conference?

Answer. The proposal you assumed would, if actually made, serve no other purpose than to increase the difficulty

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Department of State letter, August 10, 1972  
By Milton P. Hunter NARS, Date 12-18-75

2- No. 293, November 3, from Nanking.

culty of China. Furthermore, such a proposal would be entirely contrary to the spirit of the Brussels Conference. Direct negotiations between China and Japan would merely be another opportunity for Japan to press such terms as were not only unacceptable to China but were also unacceptable to the signatories of the Nine Power Treaty. Furthermore, Japan has clearly proved herself a nation with the habit of dishonoring her solemn pledges and violating even most elementary principles of justice. Whatever terms may be reached directly between China and Japan in the absence of effective guarantees would be in danger of being violated by Japan at any moment. In view of past experience, such terms would constitute neither an asset to Far Eastern stability nor a worthy safeguard of China's integrity and independence. Section Two follows.

JOHNSON

WNC;

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Department of State letter, August 10, 1972  
By Milton P. Gustafson NARS, Date 12-18-75

MBo

PLAIN

Nanking via N.R.

Dated November 8, 1937

AMEMBASSY PEIPING

Rec'd 1:35 p.m.

Secretary of State,  
Washington.

894, November 8, 9 a.m. (SECTION TWO).

Question. What is the present military situation and what is the outlook?

Answer. The plan of China's resistance is to preserve her own fighting power and at the same time to exhaust the enemy so that the ultimate object which has prompted China to put a determined resistance may be attained. Temporary gains or reserve, therefore, do not affect the final outlook as long as China's capability of resistance remains intact. The fighting during the last three months has already shown the initial success of our plan.

As far as the Shanghai and Woosung area is concerned, there were no natural geographical advantages nor any strong fortifications that could facilitate our defense. Yet we have been able to hold our enemy there for so long despite their modern armaments on land, air and sea as well as superior transport facilities. And the initiative still rests with us. The losses on the part of the Japanese are probably

2- No. 894, November 8, from Nanking. (SECTION TWO).

probably the heaviest they have sustained under since the Russo Japanese war. In Shansi our troops have inflicted heavy punishment on the Japanese forces during the past two months. The Japanese have certainly paid a heavy price for a stretch of territory that is restricted to the neighborhood of the railway lines. Further advance on the part of the Japanese into the interior of China will certainly be beset with greater difficulties which will operate in our favor. I am convinced, therefore, that the ultimate victory belongs to China.

Question. What are Your Excellency's views on the prospect of the Brussels Conference?

Answer. I am fairly convinced that the forces of righteousness and justice, once set in motion, will not fail to achieve the desired goals. I believe the Conference will accomplish worthy results. China's determination to continue her resistance to the aggressor remains unchanged until the validity of international treaties is restored and international justice firmly reestablished.

(SECTION THREE FOLLOWS).

JOHNSON

KLP:

DECLASSIFIED: E.O. 11652, Sec. 3(E) and 5(D) or (E)  
Department of State letter, August 10, 1972  
By Milton P. Gustafson NARS, Date 12-18-75

JR

PLAIN

Manking via N. R.

Dated November 8, 1937

Rec'd 12:03 p.m.

Secretary of State,

Washington.

894, November 8, 9 a.m. (SECTION THREE)

question. Since the opening of the Brussels Conference reports have been circulating that mediatory efforts are being made outside the Conference. What is the truth of these reports? Answer. They are absolutely groundless; the position of China has from the very outset been based upon unswerving adherence to the Nine Power Treaty and other international treaties. She is cooperating wholeheartedly in the collective effort now being made to compose the Far Eastern situation, and reports of her alleged independent action are obviously conceived in malice.

China is most jealous of the honor of her worlds (\*). She certainly will not take any steps contrary to her consistent stand".

Two. Sent Department, repeated Peiping, airmailed Tokyo.  
End message.

JOHNSON

VWC

(\*) Apparent omission.

DECLASSIFIED: E.O. 11652, Sec. 3(E) and 5(D) or (E)  
Department of State letter, August 10, 1972  
By Milton P. Gustafson MARS, Date 12-18-75

*F/E*

The University of Chicago

Norman Wait Harris Memorial Foundation  
in International Relations  
RECEIVED  
DEPARTMENT OF STATE

793.94

1937 OCT 29 AM 10 00

October 29, 1937

DIVISION OF  
COMMUNICATIONS  
AND RECORDS

*File*  
*for ch and d*  
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*ms*

NOVEMBER 9 1937

The Honorable Cordell Hull  
Department of State  
Washington, D. C.

Dear Mr. Hull:

After returning from six months in Europe it is a pleasure to read your addresses dealing with the Far Eastern situation, and the President's Chicago speech, indicating as they do the determination that the United States shall take a more active part toward the prevention of aggression and the rehabilitation of international law and respect for treaties. During my stay abroad, it was repeatedly borne in upon me that the wide publicity given to policies of isolationist neutrality, sponsored by certain groups in the United States, had served as a very definite stimulus to aggression both in Europe and the Far East. I hope that our public is beginning to appreciate that fact and also to realize that Congressional efforts at mandatory control of the executive will inevitably result in hampering the influence of the United States in improving world conditions. I have taken some personal satisfaction in reading the opinions of the Supreme Court in the Curtiss-Wright case and the Belmont case, emphasizing the wisdom of the Constitution in giving wide powers to the President in the handling of foreign affairs. It has always seemed to me, as stated in my book on the Control of American Foreign Relations (1922, pp. 278 ff.), not only that the Constitution invested discretion in the executive on foreign policy, but that Congressional efforts to control the exercise of this discretion in detail by mandatory legislation are probably unconstitutional.

A point, however, on which I wish to comment particularly was my concern lest the coming Brussels conference should not achieve the important results expected from it. There have been suggestions from various quarters that its function would be that of attempting to mediate a settlement between China and Japan. I fear that if discussion is allowed to turn to the merits of the dispute between these two countries, one of two results is likely: Japan will pursue dilatory tactics for an indefinite future, as indeed Mussolini has done in the Spanish matter, while she goes on with her conquest. The other result would be proposals to buy off Japan at the expense of China, as was suggested in the Ethiopian matter by the Hoare-Laval agreement. Neither of these results would commend themselves to public opinion of either this country or the world.

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Department of State letter, August 10, 1972  
By Milton D. Gustafson NARS, Date 12-18-75

The Honorable Cordell Hull

-2-

October 29, 1937

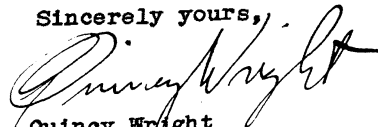
I think that experience with this sort of conference, particularly those held under the auspices of the League of Nations, shows that satisfactory results are possible only if attention is first directed toward the restoration of peace. There should be agreement upon the proper terms for an armistice involving the withdrawal of troops within defined boundaries before any discussion whatever is permitted of the merits of the controversy. If such an armistice were proposed under terms which would restore the military situation to what it was before Japanese aggression began, it might then be possible to mediate a settlement of the dispute without sacrificing essential principles of justice, and until that moment, any discussion of <sup>the</sup> merits can only serve the purposes of the aggressor.

Doubtless if such an armistice were proposed under present circumstances, the Chinese would be willing to accept it and the Japanese would not. Thus the proposal would not bear fruit unless the powers were prepared to utilize financial or economic sanctions. It seems to me, however, that if such a situation were presented to the public opinion of this country and of the world, namely that a fair armistice had been proposed and that China indicated willingness to accept it and Japan did not, a situation would exist where opinion would support the economic sanctions against Japan. The object of such sanctions would, under such circumstances, clearly be not to enforce upon either party any particular settlement of the dispute, but to induce Japan to stop hostilities.

In the handling of the Manchurian crisis in 1931, the League of Nations sought to observe this principle and to avoid any discussion of the merits of the dispute between China and Japan until hostilities were stopped. The League, however, was not persistent enough in its insistence upon this distinction and finally allowed Japan to introduce consideration of the merits of the dispute, resulting in long delay and eventual failure. I am sending under separate cover the reprint of an article I wrote on that event which discusses this matter on page 52 and following. My study of that instance persuades me that it is of the utmost importance at the present time that the efforts of Japan to turn discussion to the merits of the controversy should be stopped until such time as fighting has ceased and the merits can be discussed on the basis of justice without the presumption that they are being influenced by the course of the military operations.

I hope you will pardon this overlong letter and I do not, of course, expect you to make any comment upon it.

Sincerely yours,

  
Quincy Wright

QW:fbh

DECLASSIFIED: E.O. 11652, Sec. 3(E) and 5(D) or (E)  
Department of State letter, August 10, 1972  
By Milton D. Gustafson NARS, Date 12-18-75

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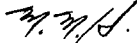
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My dear Dr. Wright:

Mr. Hull has asked me to acknowledge the receipt of your letter of October 29, 1937, in regard to certain phases of this Government's foreign relations, with particular reference to the situation in the Far East.

The thoughtful comments and suggestions set forth in your letter have received careful consideration and your courtesy in making available to the Department the reprint of an article which you wrote on the subject of "The Manchurian Crisis" is appreciated. The Department is continuing to follow with close attention developments in the Far Eastern situation and welcomes at all times comments and suggestions which may be of assistance in this connection.

Sincerely yours,

  
Maxwell M. Hamilton  
Chief  
Division of Far Eastern Affairs

CR ✓  
NOV 9 1937

Quincy Wright, LL.D., Ph.D.,  
The University of Chicago,  
Chicago, Illinois.

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THE MANCHURIAN CRISIS

BY

QUINCY WRIGHT  
*University of Chicago*

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## THE MANCHURIAN CRISIS

QUINCY WRIGHT  
*University of Chicago*

The bombardment of Mukden by Japanese forces on September 18, 1931, followed by the occupation of a large part of the three eastern provinces of China, i.e., Manchuria, by the Japanese, followed by the expulsion of the Chinese authorities, has brought to a head the long-standing disagreement between China and Japan in regard to their respective rights and policies in that territory, and has presented the League of Nations, the signatories of the Nine-Power Washington Treaty, and the signatories of the Kellogg Peace Pact with an opportunity to illustrate the meaning of these instruments.

### I. THE BACKGROUND

With the underlying legal controversies between China and Japan in respect to Manchuria, it will be impossible to deal in this article beyond stating that it is recognized that Japan fell heir to certain legal rights of Russia in Manchuria as a result of the treaty of Portsmouth between Russia and Japan, and the treaty of Peking between Japan and China in 1905. Beyond this, there is perhaps little that is accepted by all parties interested. For instance, whether the Chinese concession to the Russo-Chinese Bank in 1896 of the right to construct and operate the Chinese Eastern Railway, to acquire land "actually necessary for the construction, operation, and protection of the lines, as also the land in the vicinity of the lines necessary for procuring sand-stone, lime, et cetera," and "to have the absolute and exclusive right of administration of its lands," gave rights only of economic utilization, or, in addition, rights of political administration, jurisdiction, and military police, has been vigorously argued, as has the extent of the lands which might be or have been acquired. It also has been questioned whether the Chinese treaty with Russia in 1898, leasing the Liaotung peninsula to the latter for twenty-five years "for the purpose of insuring that the Russian naval forces shall possess an entirely secure base on the littoral of North China . . . the entire military command of

the land and naval forces and equally the supreme civil administration to be entirely given over to the Russian authorities," gave Russia the exact position during the life of the lease which she would have had if sovereign *vis-à-vis* all the Powers.

While there is little question but that Japan acquired all of the rights of Russia in the Liaotung peninsula and in the Chinese Eastern Railway concessions south of Chanchung as a result of the treaties of Portsmouth and Peking, the question is open whether she acquired more. Does the "additional agreement" between China and Japan in 1905, providing that "when tranquility shall have been reestablished in Manchuria and China shall have become herself capable of affording full protection to the lives and property of foreigners, Japan will withdraw her railway guards simultaneously with Russia," give Japan a clear right to maintain railway guards in the South Manchuria railway area today? Does the secret protocol alleged to have been negotiated with the treaty of Peking in 1905 by which China is alleged to have engaged "not to construct . . . any main line in the neighborhood of and parallel to that [South Manchuria] railway, or any branch line which might be prejudicial to the interests of the above mentioned railway," really exist? Was the treaty between China and Japan, ratified in 1915 as a result of negotiations begun by the twenty-one demands of Japan, and providing for extension of the Liaotung lease and the South Manchuria railway concession to ninety-nine years, a valid treaty, and if so, is it subject to revision and termination at the initiative of China? Finally, has Japan by treaty, by informal agreement, by general recognition, by prescription, by territorial propinquity, by an Asia Monroe Doctrine, by a "right to live" doctrine, or by any other possible source of right, a special legal position in Manchuria? And, if so, what are the rights flowing from this special position?<sup>12</sup>

Complex as are the legal problems between China and Japan in Manchuria, the political problems are even more so. What

<sup>12</sup> Since this sentence was written, the Chinese foreign minister, Wellington Koo, has denied the existence of this agreement. On the other hand, the Japanese Foreign Office published an alleged text on January 14, 1932.

<sup>13</sup> These legal questions are discussed in three volumes by C. Walter Young on *Japan's Jurisdiction and International Legal Position in Manchuria* (Baltimore, 1931). See also the same author's *The International Relations of Manchuria* (Chicago, 1929).

policy of railroad construction should be followed to promote the sound economic development of Manchuria, and to protect the existing railway investments of which the Japanese possess nearly half a billion dollars? What policy should be followed to prevent friction between the 250,000 Japanese, the 600,000 Koreans, and the 25,000,000 Chinese in Manchuria, half of them migrants during the last thirty years? Do the Japanese railway guards along the South Manchuria Railway give necessary protection to this property from bandits, or do they stimulate Chinese ill-will, reprisals, and incidents to such an extent as to render the railway less secure than it would be without them? What is the value to Japan of Manchurian raw materials, markets, investments, and immigration opportunities, and to what extent would these values be sacrificed, in view of the open door agreements, if all Japanese military and political claims in Manchuria were abandoned? What compensating gains through avoidance of Chinese boycotts would result from such abandonment? What is the value to China of Manchuria, politically and economically, and to what extent are these values impaired by the Japanese claims and activities? Finally, does Japanese behavior in regard to Manchuria manifest, as some Chinese believe, a policy of eventual annexation, and does Chinese behavior in regard to Manchuria manifest, as some Japanese believe, a policy of confiscating Japanese vested economic interests therein?<sup>13</sup>

These controversial legal, economic, political, and psychological questions are the heart of the Manchurian problem between China and Japan. They are not rendered easier of solution through the existence of similar questions concerning Russian interests in the area. The recurrence of insurrection in China and the incompleteness of the authority of the Nanking government add to the difficulties, as does the division of authority in the Japanese constitution by which the military arm is imperfectly controlled by the civil government responsible for the conduct of the foreign relations of Japan. The rising tide of Chinese

<sup>13</sup> Information on these economic and political problems may be found in the publications of the Institute of Pacific Relations, particularly J. B. Condliffe (ed.), *Problems of the Pacific, 1929* (Chicago, 1930). See also C. Walter Young, "Economic Factors in Manchurian Diplomacy," *Annals of the American Academy of Political and Social Science*, November, 1930, pp. 293 ff.

nationalism and the steadily increasing economic pressure in Japan due to population growth are further aggravating factors. Finally, the serious incidents of the summer of 1931, the assassination of the Japanese general, Nakamura, on the historic date June 28, the Wan Paoshan incident concerning Koreans on July 2, and the bombardment of Mukden on September 18, as well as other recent incidents, with facts undetermined and interpretations often exaggerated, set the match to the tinder.

Although it is necessary to have these background problems in mind for any consideration of the international procedure initiated by the Chinese appeal to the League of Nations on September 19, 1931, it is with the latter that the states of the world other than China and Japan are mainly concerned. This interest is not merely humanitarian, but a legal interest resulting from the ratification by almost every state of some treaty which may be called into operation by the Manchurian incidents. The League of Nations Covenant, to which fifty-five states, including China and Japan, are parties, is clearly involved. Under Article 11, which has been invoked by China, "any war or threat of war, whether immediately affecting any of the members of the League or not, is hereby declared a matter of concern to the whole League, and the League shall take any action that may be deemed wise and effectual to safeguard the peace of nations." It has been suggested during the discussion that occasion may arise for invocation of Article 10 of the Covenant, by which the members of the League undertake "to respect and preserve as against external aggression the territorial integrity and existing political independence of all members of the League," and Article 12, by which "the members of the League agree that if there should arise between them any dispute likely to lead to a rupture, they will submit the matter either to arbitration or judicial settlement, or to inquiry by the Council, and they agree in no case to resort to war until three months after the award by the arbitrators or the judicial decision, or the report by the Council."

It has also been suggested that the Kellogg Peace Pact and the Nine-Power Washington Treaty relating to China may be involved. By the Kellogg Pact, which has now been ratified by fifty-nine states, including China, Japan, Soviet Russia, and the

United States, the parties "solemnly declare in the names of their respective peoples that they condemn recourse to war for the solution of international controversies, and renounce it as an instrument of national policy in their relations with one another." They also agree "that the settlement or solution of all disputes or conflicts of whatever nature or of whatever origin they may be, which may arise among them, shall never be solved except by pacific means." By the Nine-Power Washington Treaty, to which China, Japan, the United States, the British Empire, France, Italy, Belgium, the Netherlands, and Portugal are parties, "the contracting powers other than China, agree: (1) to respect the sovereignty, the independence, and the territorial and administrative integrity of China; (2) to provide the fullest and most unembarrassed opportunity to China to develop and maintain for herself an effective and stable government;" and "that whenever a situation arises which in the opinion of any one of them involves the application of the stipulations of the present treaty, and renders desirable discussion of such application, there shall be full and frank communication between the contracting powers concerned."

#### II. THE RESOLUTIONS OF THE COUNCIL

The consideration of the Manchurian problem under these treaties has taken place in the Council of the League of Nations, and at the present writing (December 10, 1931) the third phase of the Council's discussion has just been completed.

The first phase, from September 19 to 30, resulted in two unanimous resolutions, one on September 22, and the other on September 30. By the first, the Council authorized the president "(1) To address an urgent appeal to the governments of China and Japan to abstain from any acts which might aggravate the situation or prejudice the peaceful settlement of the problem; (2) to seek, in consultation with the representatives of China and Japan, adequate means whereby the two countries may proceed immediately to the withdrawal of their respective troops, without compromising the security of life of their nationals or the protection of the property belonging to them." The Council also "decided to forward, for information, the minutes of all the meetings of the Council, together with the documents relating to

this question, to the government of the United States of America."<sup>3</sup>

The second resolution was approved on September 30 in the following form:

The Council 1. Notes the replies of the Chinese and Japanese governments to the urgent appeal addressed to them by its president and the steps that have already been taken in response to that appeal; 2. Recognizes the importance of the Japanese government's statement that it has no territorial designs in Manchuria; 3. Notes the Japanese representative's statement that his government will continue as rapidly as possible the withdrawal of its troops, which has already been begun, into the railway zone in proportion as the safety of the lives and property of Japanese nationals is effectively assured and that it hopes to carry out this intention in full as speedily as may be; 4. Notes the Chinese representative's statement that his government will assume responsibility for the safety of the lives and property of Japanese nationals outside that zone as the withdrawal of the Japanese troops continues and the Chinese local authorities and police forces are reestablished; 5. Being convinced that both governments are anxious to avoid taking any action which might disturb the peace and good understanding between the two nations, notes that the Chinese and Japanese representatives have given assurances that their respective governments will take all necessary steps to prevent any extension of the scope of the incident or any aggravation of the situation; 6. Requests both parties to do all in their power to hasten the restoration of normal relations between them and for that purpose to continue and speedily complete the execution of the above mentioned undertakings; 7. Requests both parties to furnish the Council at frequent intervals with full information as to the development of the situation; 8. Decides, in the absence of any unforeseen occurrence which might render an immediate meeting essential, to meet again at Geneva on Wednesday, October 14, 1931, to consider the situation as it then stands; 9. Authorizes its president to cancel the meeting of the Council fixed for October 14 should he decide after consulting his colleagues, and more particularly the representatives of the two parties, that in view of such information as he may have received from the parties or from other members of the Council as to the development of the situation, the meeting is no longer necessary.<sup>4</sup>

The second phase of the discussion, from October 14 to 24, resulted in a resolution unanimous, with the exception of Japan, on the latter date and in the following words:

The Council, in pursuance of the resolution passed on September 30; Noting that in addition to the invocation by the government of China of Article 11 of the Covenant, Article 2 of the Pact of Paris has also been invoked by a number of governments; (1) Recalls the undertakings given to the Council by the governments of China and Japan in

<sup>3</sup> 65th Session of the Council, par. 2913. <sup>4</sup> *Ibid.*, par. 2945.

that resolution, and in particular the statement of the Japanese representative that the Japanese government would continue as rapidly as possible the withdrawal of its troops into the railway zone in proportion as the safety of the lives and property of Japanese nationals is effectively assured, and the statement of the Chinese representative that his government will assume the responsibility for the safety of the lives and property of Japanese nationals outside that zone—a pledge which implies the effective protection of Japanese subjects residing in Manchuria; (2) Recalls further that both governments have given the assurance that they would refrain from any measures which might aggravate the existing situation, and are therefore bound not to resort to any aggressive policy or action and to take measures to suppress hostile agitation; (3) Recalls the Japanese statement that Japan has no territorial designs in Manchuria, and notes that this statement is in accordance with the terms of the Covenant of the League of Nations, and of the Nine-Power Treaty, the signatories of which are pledged "to respect the sovereignty, the independence, and the territorial and administrative integrity of China;" (4) Being convinced that the fulfillment of these assurances and undertakings is essential for the restoration of normal relations between the two parties, (a) Calls upon the Japanese government to begin immediately and to proceed progressively with the withdrawal of its troops into the railway zone, so that the total withdrawal may be effected before the date fixed for the next meeting of the Council; (b) Calls upon the Chinese government, in execution of its general pledge to assume the responsibility for the safety of the lives and property of all Japanese subjects resident in Manchuria, to make such arrangements for taking over the territory thus evacuated as will ensure the safety of the lives and property of Japanese subjects there, and requests the Chinese government to associate with the Chinese authorities designated for the above purpose representatives of other Powers in order that such representatives may follow the execution of the arrangements; (5) Recommends that the Chinese and Japanese governments should immediately appoint representatives to arrange the details of the execution of all points relating to the evacuation and the taking over of the evacuated territory so that they may proceed smoothly and without delay; (6) Recommends the Chinese and Japanese governments, as soon as the evacuation is completed, to begin direct negotiations on questions outstanding between them, and in particular those arising out of recent incidents as well as those relating to existing difficulties due to the railway situation in Manchuria. For this purpose, the Council suggests that the two parties should set up a conciliation committee, or some such permanent machinery; (7) Decides to adjourn till November 16, at which date it will again examine the situation, but authorizes its president to convoke a meeting at any earlier date should it in his opinion be desirable.<sup>5</sup>

The third phase of the discussion, from November 16 to December 10, resulted in the passage by unanimous vote of the following resolution on the latter date:

<sup>5</sup> *Ibid.*, par. 2952.

The Council, (1) Reaffirms the resolution passed unanimously by it on September 30th, 1931, by which the two parties declare that they are solemnly bound; it therefore calls upon the Chinese and Japanese governments to take all steps necessary to assure its execution, so that the withdrawal of the Japanese troops within the railway zone may be effected as speedily as possible under the conditions set forth in the said resolution; (2) Considering that events have assumed an even more serious aspect since the Council meeting of October 24, notes that the two parties undertake to adopt all measures necessary to avoid any further aggravation of the situation and to refrain from any initiative which may lead to further fighting and loss of life; (3) Invites the two parties to continue to keep the Council informed as to the development of the situation; (4) Invites the other members of the Council to furnish the Council with any information received from their representatives on the spot; (5) Without prejudice to the carrying out of the above mentioned measures, desiring, in view of the special circumstances of the case, to contribute towards a final and fundamental solution by the two governments of the questions at issue between them: decides to appoint a commission of five members to study on the spot and to report to the Council on any circumstances which, affecting international relations, threaten to disturb peace between China and Japan, or the good understanding between them, upon which peace depends. The governments of China and of Japan will each have the right to nominate one assessor to assist the commission. The two governments will afford the commission all facilities to obtain on the spot whatever information it may require. It is understood that should the two parties initiate any negotiations, these would not fall within the scope of the terms of reference of the commission, nor would it be within the competence of the commission to interfere with the military arrangements of either party. The appointment and deliberations of the commission shall not prejudice in any way the undertaking given by the Japanese government in the resolution of September 30th as regards the withdrawal of the Japanese troops within the railway zone. (6) Between now and its next ordinary session, which will be held on January 25th, 1932, the Council, which remains seised of the matter, invites its president to follow the question and to summon it afresh if necessary.<sup>6</sup>

### III. PROCEDURE OF THE LEAGUE

✓ The League of Nations Covenant provides for three quite distinct types of procedure in case of hostilities between two participating states: (1) that for stopping hostilities, (2) that for settling the dispute, (3) that for applying sanctions. The precedents have well established that the procedure for stopping hostilities should precede and, so far as possible, be isolated from the procedure for settling the dispute. This distinction is important because the determination of facts and responsibilities

<sup>6</sup> *Ibid.*, par. 2964.

necessary for settling the dispute is by its nature a long process, while effective action to stop hostilities must necessarily be taken with the greatest possible expedition. Every day that warfare is allowed to continue increases the difficulty of stopping it. This separation has the added advantage that in recommending the cessation of hostilities the Council can treat both parties on a precise equality. No problem of defining the aggressor arises. Prior to the investigation of the merits, it would clearly be improper to impute illegal conduct to either. At the same time, resolutions suggesting a cessation of hostilities are more likely to be effective if they avoid any such implication.

The League Council has become equally insistent upon separating the problem of stopping hostilities from the problem of applying sanctions. Under the Covenant, sanctions are applicable only when territorial integrity or political independence have been violated (Art. 10), or when war has begun contrary to Articles 12, 13, and 15 (Art. 16)—both very difficult matters to determine. Usually war in the legal sense would not exist, and the question of justifiable defense measures short of war would involve an examination of the facts in regard to incidents and the merits of the controversy for which data would generally not be available. On the other hand, the conservatory measures and mediatorial functions of the Council contemplated by Article 11 are authorized not only on the outbreak of war, but upon every "threat of war," or even upon the development of "any circumstances whatever affecting international relations which threaten to disturb international peace or the good understanding between nations upon which peace depends." Thus the Council's competence under this article could hardly be questioned. It is recognized that the most important data for determining the liability of a state to sanctions would be its own attitude and actions *after* the League has been seised of the matter. In other words, the very determination of aggression depends upon a somewhat protracted discussion before the Council while that body is acting without any presumption that either party is guilty of illegal conduct and with the sole objective of stopping hostilities.

These distinctions were emphasized in the report of the Committee of the Council on Article 11, approved by the Council and

the Eighth Assembly in 1927. This report was divided into two sections, one of which dealt in detail with the procedure for settling disputes "where there is no threat of war or it is not acute," and the other dealing with the stopping of hostilities "where there is an imminent threat of war." The latter, in turn, was divided into seven paragraphs, only the last two of which dealt with sanctions which might arise "should any of the parties to the dispute disregard the advice or recommendations of the Council."

The importance of these distinctions is further emphasized by the existence of the Kellogg Pact, which forbids hostilities in the settlement of disputes, but specifies neither a procedure for settlement nor sanctions. Thus, if action is to be kept within the terms of the Pact, it must be confined to the prevention or stopping of hostilities. In fact, it seems probable that members of the League which have ratified the Pact are obligated, even when acting through League of Nations organs, to refrain from any consideration of the merits of disputes, except in the course of arbitral or judicial proceedings, until hostilities have been stopped. Participation by such states in discussion of the merits with a view to settlement by political agreement in the Council, or support by them of bilateral negotiations between the parties, while one of the parties is invading or occupying the territory of the other, or otherwise bringing military pressure upon it, would appear to abet such party in seeking the settlement of its dispute by other than pacific means, contrary to Article 2 of the Pact.

These distinctions in League procedure have been well illustrated by the Council's consideration of the Manchurian dispute. The Council has devoted its attention up to the time of writing solely to the problem of stopping hostilities and restoring the *status quo ante*. Its care in this regard can be seen by studying its treatment of all suggestions arising in discussions looking toward consideration of the merits of the dispute between China and Japan.

#### IV. THE FIRST PHASE

In its original formal appeal on September 21, 1931, China "requested that in pursuance of authority given to it by Article

\* This resolution and the League precedents on the subject are analyzed in T. P. Conwell-Evans, *The League Council in Action* (Oxford, 1929). See especially pp. 37, 51, 115 ff., 253 ff.

11 of the Covenant, the Council take immediate steps to prevent the further development of a situation endangering the peace of nations; to reestablish the *status quo ante*; and to determine the amount and character of such reparations as may be found due to the Republic of China." In presenting this appeal, the Chinese representative, Mr. Alfred Sze, added that "it is of course with reference to the first and second steps that immediate action is imperatively required." The Japanese representative, Mr. Yoshizawa, replied by suggesting that the Japanese military movements were necessitated as a defensive measure, and asserting that he had been informed that "a proposal has been made from the Chinese side that the solution should be sought by direct negotiations between the two governments," and that "the Japanese government had welcomed this proposal." The Chinese representative at once declared that "the *status quo ante* must be restored before negotiations are possible." The British representative, Viscount Cecil, endorsed this position by pointing out that "no question has yet arisen of any settlement of the merits of the dispute between the two parties," and that "the settled procedure" of the League in cases of this kind required, first, that "the Council through its president issue an earnest appeal to both sides not to do anything to aggravate the position and to avoid further fighting of all kinds," and second, "where it has been established that the troops of either party have entered the territory of the other, it has been customary for the president to issue an earnest appeal to the troops of both sides to withdraw from the territory of the other party and to avoid anything which might lead to a clash." He recognized that certain "precautions" might sometimes be necessary, but quoted as the *locus classicus* of League policy and procedure in cases of this kind a statement by M. Briand in connection with the Greco-Bulgarian dispute of 1925, agreed to at the time by the representatives of Great Britain, Italy, Japan, and other members of the Council, that

It was essential that such ideas [that hostilities were justified by defensive necessities] should not take root in the minds of nations which were members of the League and become a kind of jurisprudence, for it would be extremely dangerous. Under the pretext of legitimate defense, disputes might arise which, though limited in extent, were extremely unfortunate owing to the damage they entailed. These disputes, once they had broken out, might assume such proportions that the gov-

ernment which started them, under a feeling of legitimate defense, would be not longer able to control them. . . . The League of Nations through its Council and through all the methods of conciliation which were at its disposal offered the nations a means of avoiding such deplorable events. The nations had only to appeal to the Council.<sup>8</sup>

On the following day, Lord Cecil's suggestion was approved by unanimous vote in the first resolution already referred to.<sup>9</sup>

On September 25, the Japanese representative informed the Council that his government, in replying to the president's telegram, was "profoundly desirous of ensuring the peaceful settlement of this problem as rapidly as possible by negotiations between the two countries and has the firm intention not to depart from this line of conduct." Furthermore, that "the Japanese forces are being withdrawn to the fullest extent which is at present allowed by the maintenance of the safety of Japanese nationals and the protection of the railway," and "intended to withdraw its troops to the railway zone in proportion as the situation improves." He added that, in his opinion, with respect to the method to be selected for settling the dispute, "it is necessary to respect the wishes of the parties. If the latter or one of them clearly expresses their views as to the choice of procedure, it seems to me it is the duty of the Council—which is moreover confirmed by practice—to respect these desires and to allow the parties in conflict the time necessary to achieve the proposed object, which is the settlement of the problem." The Council, therefore, "would do well not to intervene prematurely, as by so doing it might run the risk of adversely affecting the situation, which actually shows signs of improvement."

The Chinese reply to the telegram sent by the president of the Council drew attention to orders sent by the Chinese government to its army "to avoid all possibility of clash with the invader" and willingness to "assume full responsibility for the protection of life and property as soon as it regained control of the areas evacuated by the Japanese troops." The Chinese representative suggested that a "commission of neutral members should be appointed by the Council and empowered to observe the modes in which, and the time at which, the troops are withdrawn and report thereon to the Council." He reiterated the Chinese government's refusal to negotiate bilaterally while its territory was

<sup>8</sup> 65th Session of the Council, par. 2912.

<sup>9</sup> *Ibid.*, par. 2913



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occupied, and informed the Council that the initial approval by the Chinese finance minister, T. V. Soong, of the suggestion by the Japanese minister Shigemitsu for such negotiations had been withdrawn upon discovering that Chinese territory was actually invaded. Mr. Sze also suggested that unless Japan withdrew her troops immediately

Japan will place herself in opposition to the categorical obligations assumed by her under the first paragraph of Article 15 of the Covenant, to submit to the Council disputes which are likely to lead to a rupture and which are not submitted to arbitration or judicial settlement, and it need hardly be observed that, if Article 15 is brought into operation, the procedure to be taken by the parties to the dispute and by the Council or the Assembly, if the question is referred to them, is no longer a matter of discretion, but is stated definitely and with particularity.

This statement clearly had reference to consideration both of the merits of the dispute and of sanctions.

Lord Cecil, however, immediately professed inability to understand this reference to Article 15, "which could be invoked, as the Chinese representative was aware, by the procedure indicated therein, but which had not been invoked in the present case." The duty of the Council under Article 11 was "not to settle the dispute or pass judgment on the action of the parties, or indeed to do anything but safeguard the peace of nations. It was only when peace had been safeguarded, for that was primarily the duty of the Council, that any question as to the settlement of the actual dispute could arise." He agreed with Japan that the question of the dispute could only be a matter for the parties at this stage; the Council, however, "to preserve the peace of nations" would desire—and the Japanese government too, he hoped—that those troops should be withdrawn as rapidly as possible.<sup>10</sup>

On September 28, the Japanese representative reiterated that complete withdrawal was impossible until security to Japanese lives and property was assured, and the Chinese representative, referring to his earlier proposal of a neutral commission to examine this question on the spot, said that to be conciliatory "he proposed that the Council should help the parties to reach an agreement as to arrangements on the spot, which would make it possible to fix an early date for the completion of the withdrawal

<sup>10</sup> *Ibid.*, par. 2918.

of troops and render it unnecessary for the Council to send a commission of enquiry from Geneva." He, however, thought that the Council should appoint neutral observers in the Far East to meet with representatives of the parties. Lord Cecil supported this proposal on the supposition that it concerned only negotiations on the question of evacuation and similar questions. When it appeared that the Chinese and Japanese representatives were contemplating a negotiation of wider scope, which, however, the Chinese would accept only if under League auspices and the Japanese only if entirely bilateral, Lord Cecil thought "the Council would be unable to carry the matter further at the present stage."<sup>11</sup>

At its meeting on September 30, the Council unanimously adopted the resolution already quoted, which the president of the Council (who at this time was Señor Lerroux, Spanish minister of foreign affairs) explained was in pursuance of the duty of the Council under Article 11 "to take such action as may be deemed wise and effectual to safeguard the peace of nations." He added that the Council, "in viewing the actual situation before it in the light of this injunction, has singled out one object as being of immediate and paramount importance—namely, the withdrawal of troops to the railway zone. Nevertheless, it could not but admit that, in the special circumstances, a certain time had to be allowed for the withdrawal, particularly in order to ensure the safety of life and property."<sup>12</sup>

#### V. THE SECOND PHASE

The situation in Manchuria actually became worse, and, upon Chinese request, the Council reassembled on October 13, a day earlier than the time set. The Chinese representative, citing statements of Señor Lerroux, the president of the Council, of Lord Cecil, and of M. Briand, insisted that the restoration of the *status quo ante* "is the first and preliminary step which it is imperative should be taken at once, and it is one which does not involve questions of fact existing prior to September 18, nor should it be confused with the later distinct steps which will need to be taken in order that satisfactory relations between

<sup>11</sup> *Ibid.*, par. 2927.

<sup>12</sup> *Ibid.*, par. 2945.

China and Japan may be fully reestablished and maintained."<sup>13</sup> After a brief adjournment, the Japanese representative made a long statement emphasizing the danger to Japanese lives and property in Manchuria, the rise of anti-Japanese agitation in China through meetings attended in some instances by Chinese officials, and to the history of Chinese violations of Japanese rights in Manchuria:

In the face of the situation created by the systematically vexatious manner in which the Chinese authorities deal with our essential rights and interests, the command of the Japanese troops considered it indispensable after the incident of September 18 to take legitimate defensive action with a view to averting at any cost the imminent danger which threatened the very existence of the Japanese in Manchuria. It is from this point of view that the operations undertaken by our troops over a relatively wide radius should be considered.

He thought too great importance should not be attributed to theoretical arguments and possibilities. "Vital realities of the international situation" must be the basis of action, which meant that the Council should "look first of all for means of calming the minds of the public and creating a moral disarmament between the two nations." "The public of my country," he said, "excited beyond measure by the proceedings of the Chinese authorities, cannot be calmed until it is convinced that the perpetual menace to our rights and opportunities in Manchuria has ceased." Therefore,

If the Chinese government were to make serious efforts to check the anti-Japanese agitation and to arrive in common accord with us at a preliminary basis for the reestablishment of normal relations between the two countries, it would do much (I am convinced) to promote the relaxation and pacification which is so eminently desirable, thus removing the most serious obstacle to the withdrawal of our troops. The withdrawal of our troops is not conditional on the realization of such an understanding. It is, I repeat, conditional on the security and protection of our nationals.

The Chinese representative, referring to the allusions to anti-Japanese agitation in China, "knew of no accepted principle of international law whereby a government, however strong, powerful, or autocratic, can compel its people to buy from persons whom they do not like," and in regard to the proposed bilateral negotiation, declared that "China will never agree to such a course so long as Japanese troops are illegally upon her soil and

<sup>13</sup> *Ibid.*, par. 2947.