

EX 3437

Def. Doc. #1761 (revised)

Exh. No.

Translated by
Defense Language Branch

INTERNATIONAL MILITARY TRIBUNAL FOR THE FAR EAST

THE UNITED STATES OF AMERICA, et al

-vs-

ARAKI, Sadao, et al

Sworn Deposition

Deponent : MURATA, Yachiho

Having been duly sworn in accordance with the procedure followed in my country, I do hereby depose and say as follows:

1. I, MURATA, Yachiho, is the Chief of Investigation Section of the Board of Decorations.
2. Being shown the Record of Offices held by MINAMI, Jiro (a document brought by counsel Kondo and referred to as Ex. No. 117), I find at line 10, page 6 of its English version the following words: "Feb. 9 -- appointed Councillor (Zitoikan) (Cabinet)". By comparing with the Japanese original, the corresponding Japanese word in parenthesis should be "GIJOKAN," meaning that kind of councillor of the Board of Decorations, as explained below.

3. The duty of a GIJOKAN is to confer and agree upon the propriety with regard to investiture or divestiture of orders of merit, decorations and pensions in accordance with the Regulations concerning the Council of Decorations (Imperial Ordinance No.117 of Oct. 31st, 1893). Please refer to my other deposition (Ex. #3147, Court Record p.28,029).

The council is conducted under the supervision of the President of the Board of Decorations, by circulating a writing among the Councillors whenever a case arises for investing or divesting orders of merit, decorations and pensions. It is, therefore, outside the scope of their duty to participate in political or military affairs, and in fact they have nothing whatsoever to do with such affairs,

3. This Kind of councillor is appointed by the Emperor, but entirely different from NAIFAKU-SANGI and. NAIFAKU-KOMON, the words which are usually translated in English as "Cabinet Councillor".

Being shown a document referred to as IPS Doc. #0001 (brought by Counsel Kendo), I find at p.21 the following words: "On 9 February MINAMI became a Cabinet Councillor," and at p.331 the following words: "(also Cabinet Councillor) (9 Feb. 1933-- 10 Dec. 1934)". It seems to me that such

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statements are mistaken, in view of the record of my Board, which registers the fact that MINAMI served as a GIJOKAN from Feb. 9th, 1934, to the beginning of 1936.

4. The said IPS Doc. #0001, at p.331, describes MINAMI as having been "decorated" on April 29th, 1940, for services in China affairs. According to the record of my Board, no decoration was awarded to him on that date, except a pair of silver cups (small ones for sake).

Dated Sept. 8th, 1947, at Tokyo

Deponent: /S/ MURATA, Yachiho (seal)

OATH

In accordance with my conscience I swear to tell the whole truth withholding nothing and adding nothing.

/S/ MURATA, Yachiho (seal)

I, KONDO, Giichi, do hereby certify that the above statement was sworn by the Deponent, who affixed his Signature and seal thereto in my presence on the same day and at the same place as above written.

Witness: /S/ KONDO, Giichi (seal)