

(8) 主文敵世有於於光陽人利益保護の要る中

REEL No. A-1203

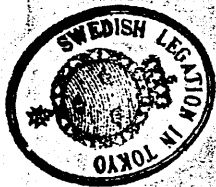
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アジア歴史資料センター

in Shanghai, the Swedish subject, Mr. T. A. Hultman, is also the authorized representative of the Swedish Match Co. Mr. Hultman has now received instructions from Sweden to take possession of the company on the 20th inst. on the basis of the mortgage.

In view of the above the Swedish Government expect the Japanese authorities in Shanghai to refrain from taking any action against the true ownership of this enterprise.

Tokyo, December 19th, 1941.



SWEDISH LEGATION

Memorandum.

1925.1

The Swedish Match Co. (Svenska Tändsticks AB.) of Jönköping, Sweden, is a concern with interests extending all over the world. Thus this company since the year 1915 has also been greatly interested in the match trade in China. These interests were originally taken care of by a representative of the Swedish Match Co. in Shanghai, who later on established the Swedish-Chinese Export and Import Co. and also the Cathay Match Co. both of which were purely Swedish concerns. In September 1928 the Swedish Match Co. purchased a factory, which at that time was owned by a Japanese firm in Shanghai, the Suisung Co. This factory was rebuilt and modernized with Swedish machinery. Subsequently in December 1931 a new company, the American - Far Eastern Match Co., was formed, taking over the said Shanghai factory. For reasons of expediency the new company was registered as an American corporation. The shares in the American - Far Eastern Match Co. are held by the New York Match Co., New York, with the exception only of some shares held by the directors of the Shanghai company, of whom two are Swedish and two American corporation lawyers. The New York Match Co. is also entirely controlled by Swedish interests.

When the above mentioned modernizing and rebuilding of the Shanghai match factory was carried out the Swedish Match Co. advanced large sums for this purpose and also granted credits, which were secured by a mortgage, dated March 1935 and covering the total assets of the company. The said mortgage gives the Swedish Match Co. the right unconditionally to take possession of the American - Far Eastern Match Co. with all its property and assets in case the Swedish Match Co. considers the property jeopardized for any reasons. All the executive staff members drawing their salaries from the local company are Swedish, engaged through contracts with the Swedish Match Co. The actual General Manager of the local company

記帳簿

Monsieur Itaro Mizuno,
Directeur des Affaires Commerciales
au Ministère Impérial des Affaires Etrangères,
T o k i o.

懸案

(分類)

電 信 案	申 出 の タ タ カ ハ 決 算 の 日 付 に 関 し て の 事 件	電 送 第 52256 號	主 管 主 任 長 官 の 印 鑑
		年 月 日 時 分 秒	主 任 長 官 の 印 鑑
外 務 省	申 出 の タ タ カ ハ 決 算 の 日 付 に 関 し て の 事 件	電 送 第 52256 號	主 任 長 官 の 印 鑑
	申 出 の タ タ カ ハ 決 算 の 日 付 に 関 し て の 事 件	電 送 第 52256 號	主 任 長 官 の 印 鑑

(日本標準規格B5)

電 信 案	申 出 の タ タ カ ハ 決 算 の 日 付 に 関 し て の 事 件	電 送 第 52256 號	主 管 主 任 長 官 の 印 鑑
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(日本標準規格B5)

REEL No. A-1203

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アジア歴史資料センター

懸案 52253

電 信 案	(分類)	第 三 四 七 號	大 臣 發 上海宛電報	暗 電 送 第 52253 號	主 管 東 亞 局 長	電 信 課 長
				年 月 日 7時10分發	主任 東 亞 局 第 二 課 長	
外 務 省	(總 番 號 第 一 三 四 七 號)	號 別 註 訂 章 文	合 第 二 七 三 七 號	件 名 在 上海米店極東糖子株式 分社・因之件	宛 北 石	發 電 係
				記 錄 件 名	發 外 務 大 臣	
				昭和十一年十一月五日	昭和十一年十一月五日	記 帳 済

(日本標準規格B5)

電 信 案	外 務 省
冒頭往電ノ理由ニ基キ速ニ本件ヲ調査セラルコト及右ノ訓令ニ基キ本件ヲ調査中ニ瑞興ノ所屬ハ何種ノ調査中ニ在ルハ其調査期間中工場ノ点検及財産ノ押収ヲ撤回セラルコト旨申付奉リ 就本件ニ基キ瑞興ノ調査中ニ在ルハ其調査期間中工場ノ点検及財産ノ押収ヲ撤回セラルコト旨申付奉リ 中下止石ニ時差アリ	

(日本標準規格B5)

電信寫

外機密

昭和17 三九〇一 暗 ストックホルム 二月五日午後 四時
本 省 六日前着 神田代理公使

東亞外務大臣

第四〇號

(財産押收ニ關スル件)

當國外務省ヨリ大東亞戰勃發後在上海米東亞株式會社 (Szechuan
Rice Exportation Station Co.,) 日本軍官處ニ依リ押收セラレタル同會社
ノ株券ハ紐育株式會社ノ所有ニ依リ紐育株式會社ハ瑞典株式會社ノ所
有ニ屬シ從テ本件會社ハ實質上瑞典會社ナルニ付日瑞友好關係ニ
鑑ミ同會社ノ事業繼續方許可アリタキ旨申越シタリ尚係官ノ言ヲ
所ニ依レハ瑞典株式會社カ米東亞會社ノ名義ヲ用ヒタルハ主トシテ
果シテ該株式會社ノ爲ナル由(了)

(分類)

電信案

外務省

(日本標準規格B5)

暗 平略	電送第 578 號	主管 電信課長
昭和17年1月7日午後8時4分發	宛 上海 海内総領事	主任 正一
件 重利和利株式會社 社ニ関スル件	發 東京 事務課長	昭和17年1月7日
第一五 號	記録件名	

送電第一三二五ノ同
瑞典には再交可合アラスカ
の事
重利和利株式會社
社ニ関スル件

apparently acknowledge a Swedish de facto ownership.

It is highly desirable that these points should be elucidated as soon as possible as the Swedish Government is attaching considerable importance to see this question settled in a satisfactory way. In conformity with telegraphic instructions, received from Stockholm, I have the honour to request Your Excellency to be good enough to cause this matter to be reconsidered by the Imperial Government in the light of the friendly relations existing between Sweden and Japan, not allowing these relations to deteriorate by interference with a lawful Swedish enterprise.

I avail myself of this opportunity, Monsieur le Ministre, to renew to Your Excellency the assurances of my highest consideration.

H. D. S.

If this statement is correct and if at the same time it is acknowledged that there does not exist any necessity of restrictive measures the immediate release of the company's property seems to be the logical consequence and a matter of justice.

Of course I am aware that a certain competition may have occurred on the Chinese market between Swedish matches and Japanese and that the Japanese match industry may harbour a desire to see the Swedish competition eliminated. In view of the fact, however, that it concerns an enterprise belonging to a friendly nation I do not think that motives of this character should have influenced the Japanese Government.

In my abovementioned note of December 29th 1941 I also referred to a move by the Swedish Match Co. in order formally to take over the assets of the American-Far Eastern Match Co. on the basis of a mortgage dated March 1933.

It now appears that the local Japanese authorities in Shanghai should have expressed some doubt as to the possibility of recognizing this transfer as it had been carried out after the outbreak of the Pacific war.

However, the existence of the mortgage and the claim founded thereupon may be a matter of secondary importance at this moment in view of the fact that the real ownership, recognized by the Japanese authorities, already was in Swedish hands. The mortgage was a proof and an emanation of this de facto ownership and the formal transfer may be considered chiefly as a demonstration thereof.

If on the other hand the legal point of view should be stressed, there is no doubt that the existence of the mortgage and the taking possession of the factory on the right of this mortgage ought to have protected the factory from occupation. According to international law the mortgage anyhow will subsist even after the occupation by the Japanese authorities.

Reverting to the Memorandum of the Imperial Ministry quoted above which underlines the point of view of "necessity" I have come to the conclusion after thorough study of the case that the action taken by the local authorities in Shanghai may have been caused by a misunderstanding of the true issue at hand particularly as these authorities

SWEDISH LEGATION

Tokyo, February 5th, 1942.

Monsieur le Ministre,

I beg to refer to the note which I had the honour to address to Your Excellency on December 24th last year with regard to the "American Far Eastern Match Co." in Shanghai. This company, although entirely owned by Swedish capital and working as a branch of the Swedish Match Co., had then been occupied by the Japanese authorities and the operation of its factory and other plants had been stopped. In view of the Swedish de facto ownership of the enterprise I requested on behalf of my Government that the Japanese authorities should cancel the occupation and release the property while such further investigation of the case, which might be found necessary, was carried out. This demand by the Swedish Government so far has not been given heed to by the Japanese authorities.

I have had the satisfaction, however, to receive from the Imperial Ministry of Foreign Affairs a memorandum dated on December 27th 1941 and dealing with these questions. It is stated in this memorandum inter alia that "the Japanese Military Authorities on the spot /in occupied China/ have no intention to take such measures as to take enemy property into custody or stop the activities of juristic persons of enemy countries unless there is special necessity for doing so for military or other reasons". Further it is stressed "that as regards such juristic persons of enemy countries as aforesaid, who actually have neutral character, the Japanese Military Authorities will not take any restrictive measures beyond the limits of necessity".

In this particular case it seems evident that there cannot have existed any necessity of occupation for military reasons. It is equally difficult to find any other reason making such interference "a necessity". The statements of the Memorandum consequently are most reassuring as regards the immunity of the company and its property.

I am further informed from Shanghai that the 1941 Japanese authorities should have declared themselves convinced of the Swedish de facto ownership of the match factory.

His Excellency

Monsieur Shigenori Togo,
Minister for Foreign Affairs,
Tokyo.

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been paid by the Swedish Match Company.

On behalf of the Swedish Government it is protested against the sealing of this Swedish property and the immediate release is urgently requested.

Tokyo, February 5th, 1942.



REEL No. A-1203

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アジア歴史資料センター

ROYAL
SWEDISH LEGATION

Note Verbale.

The Swedish Legation present their compliments to the Imperial Ministry for Foreign Affairs and, referring to the Swedish Minister's note of today's date with regard to the interests in Shanghai of the Swedish Match industry, have the honour to draw the attention to the following matter.

Apart from the ownership of the American Far Eastern Match Company, referred to in the above-mentioned note, the Swedish Match Company for some time have been directly active in business in Shanghai. Thus in October 1941 the Company took over the management of sales as agents of the American Far Eastern Match Company under a definite written agreement. The American Far Eastern Match Company remained the manufacturing concern while the Swedish Match Company took the position as selling and managing concern. For this purpose the Swedish Match Company leased four godowns in Shanghai where stock of matches bought from the American Far Eastern Match Company were stored. This organization was completed before the outbreak of hostilities between Japan and the U.S.A. The four godowns here referred to exclusively contained the Swedish Match Company's property. This notwithstanding the godowns in question have been occupied and sealed by the Japanese authorities in Shanghai.

The four godowns are:

1. Godown at 71, 810 Hart Road.
- 2-4. Godowns M-13, M-14 and C-13 at Birt's Wharf, 248 Yangtszepoo Road.

These godowns were leased by the Swedish Match Company some time before the outbreak of the present hostilities and monthly rentals have

Imperial Ministry for Foreign Affairs,
T o k y o.



外務省

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 支 那 — 法 人 タル ニ 付 テ 多 数 地 方 派
 (ハ、^{ナリ} 密) 横 室 洞 査 ヲ 要 ス 問 題
 沸 騰 寸 ル ヲ 以 テ 解 決 ヲ 見 ン 迄 ニ 未 だ
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(日本標準規格 B5)

公 信 案

外 務 省

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 本件ノ件ハ
 公信ノ件ハ

(日本標準規格 B5)

主信 甲 乙 丙 丁 備考

發信用 執務用

文書課 發送日 昭和十七年貳月廿四日

文書課長

主 任 主 任

東 亞 局 長

一 般 通 第 七 〇 號 昭和十七年貳月拾貳日附 附屬

名 人 信 受 上 海 陸 内 務 領 事

先付送寫

名 件 錄 記 敬 意 柳 松 園 信

名 人 信 發 東 郷 大 臣

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公 信 案

外 務 省

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(日本標準規格 B5)

LÉGATION DE SUÈDE

Aide Mémoire.

Le Ministre de Suède a eu l'honneur de s'adresser à plusieurs reprises au Gouvernement Japonais à propos de l'occupation par les autorités japonaises à Shanghai de la "American Far Eastern Match Co." qui est en réalité de la propriété suédoise, ainsi que des quatre go-downs contenant des caisses d'allumettes en stock, possession exclusive de la Swedish Match Company.

Le Ministère des Affaires Etrangères à Stockholm s'est occupé également de cette question et en a fait connaître ses points de vue au Chargé d'Affaires du Japon à Stockholm. Notamment le Secrétaire Général du Ministère a tendu le 12 janvier passé un aide mémoire à ce sujet au Chargé d'Affaires. Or le 19 février passé celui-ci en réponse a exprimé verbalement l'assurance que le Gouvernement Impérial était disposé à chercher pour cette question une solution qui donnerait satisfaction aux intérêts suédois. Une étude à ce sujet était en cours.

Le Ministre de Suède qui a été informé télégraphiquement de ce développement par le Ministère des Affaires Etrangères à Stockholm a été engagé en même temps à exprimer la satisfaction du Gouvernement Suédois d'avoir reçu cette promesse de la part du Gouvernement Impérial que la question soit réglée d'une façon qui s'accordera avec l'esprit des relations amicales existant entre les deux pays, geste qui a été très apprécié par le Gouvernement Suédois.

Tokio, le 2 mars 1942.

Ministère des Affaires Etrangères,

T o k i o.



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