

日清通商航海條約

MT

11257

01040

REEL No. 1-0074

0144

大日本國皇帝陛下及大清國皇帝陛下ハ明治二十八年四月十七日即光緒二十一年三月二十三日下ノ關ニ於テ調印セラレタル條約第六條ノ規定ニ依リ通商航海條約ヲ締結スルコトニ決セリ因テ大日本國皇帝陛下ハ北京駐劄特命全權公使正四位勳一等男爵林董ヲ大清國皇帝陛下ハ欽差全權大臣總理各國事務大臣尙書銜戶部左侍郎張蔭桓ヲ各其ノ全權大臣ニ任命シタルヲ以テ兩國ノ全權大臣ハ互ニ其ノ委任狀ヲ示シ其ノ良好妥當ナルヲ認メ左ノ諸條ヲ協議決定セリ

第一條

大日本國皇帝陛下ト大清國皇帝陛下トノ間並ニ兩國臣民ノ間ニ永遠無窮ノ平和及親睦アルヘシ而シテ兩國臣民ハ各々兩締盟國ノ一方ニ於テ其ノ身體及財産ニ對シ等シク完全ナル保護ヲ享有スヘシ

第二條

大日本國皇帝陛下ハ便宜ニ從ヒ其ノ外交官ヲ清國ニ駐劄セシムルコトヲ得大清國皇帝陛下モ亦便宜ニ從ヒ其ノ外交官ヲ日本國ニ駐劄セシムルコトヲ得  
右駐劄外交官ハ各々國際公法ニ因リ之ニ附與スル一切ノ權利特權及免除ヲ享有シ且總テ最惠國ノ同様ノ外交官ニ附與スル所ノ待遇ヲ受ルコトヲ得其ノ身體家族隨員衛署居館及往復書信ハ犯スヘカラサルモノトス  
右外交官ハ毫モ障礙セラルハコトナク其ノ役員使丁通譯人僕婢及從者ヲ隨意ニ選用スヘシ

MT

11257 01041

0145

REEL No. 1-0074

第三條

大日本國皇帝陛下ハ外國通商ノ爲メニ現ニ開カレ若ハ將來開カルヘキ清國ノ港市ノ内  
日本帝國ノ利害ニ必要ナリト認ムル場所ニ總領事、領事、副領事及代辦領事ヲ駐在セシム  
ルコトヲ得

右領事官ハ清國官吏ヨリ相當ノ禮遇ヲ受ケ且最惠國ノ領事官ニ現ニ附與シ若ハ將來附  
與スヘキ總テノ資格、職權、裁判管轄權、特權及免除ヲ享有スヘキモノトス

大清國皇帝陛下モ亦同シク日本國內ニ於テ他國ノ領事官カ現ニ駐在シ若ハ將來駐在ス  
ヘキ場所ニ總領事、領事、副領事及代辦領事ヲ駐在セシムルコトヲ得而シテ右領事官ハ日  
本國ニ在ル清國臣民及財産ニ對スル日本帝國裁判所ノ裁判管轄權ニ屬スル事項ヲ除ク  
ソ外通常領事官ニ附與スル權利及特典ヲ享有スヘシ

第四條

日本國臣民ハ其ノ家族、雇員及僕婢ト共ニ現ニ外國人ノ居住貿易ノ爲メ開キ又ハ將來開  
クヘキ所ノ清國ノ諸港、諸市ニ往來シ、住居シ、商工業製造業ヲ營ミ又ハ其ノ他一切合法ノ  
職業ニ従事シ且其ノ商品及携帶品ヲ搭載シ前記諸開港地ノ間ヲ隨意ニ往來スヘキ又其  
ノ地ニ於テ外國人ノ使用及占有ノ爲メ既ニ選定シ若ハ將來選定セラルヘキ地區内ニ於  
テ家屋ヲ賃借、賣買シ、地所ヲ賃借シ寺院、墓所、病院ヲ建設スルコトヲ得但シ此等一切ノ事  
項ニ付最惠國ノ臣民或ハ人民ニ現ニ附與シ若ハ將來附與スヘキモノト同一ノ特權及免  
除ヲ享有スヘキモノトス

MT

11257 01C42

0143

REEL No. 1-0074

第五條

日本國船舶ハ現ニ立寄港ナル安慶大通湖口、武穴、陸溪口及吳淞、併ニ將來立寄港トセラルヘキ總テノ場所ニ於テ外國貿易ニ關スル現行章程ニ從ヒ旅客商品ヲ上陸セシムル爲メ之ニ寄港スルコトヲ得  
清國ノ諸開港及諸立寄港外ノ港ニ不法ニ進入シ若ハ沿海及河防ニ於テ密商ニ從事スル船舶ハ其ノ積荷ト共ニ清國政府ニ於テ之ヲ沒收スヘキモノトス

第六條

日本國臣民ハ自國領事ヨリ下附シ地方官ノ副署シタル旅券ヲ携帯スルトキハ游歴又ハ商用ノ爲メ清國內地ノ各部ニ旅行スルコトヲ得而シテ該旅券ハ旅行地方ニ於テ檢査ヲ求メラレタルトキハ之ヲ示スヘキモノトス該旅券ニ不正ノ點ナキニ於テハ攜帶者ハ進行ヲ許可セラレ且其ノ旅行用ノ爲メ又ハ攜帶品、商品運搬ノ爲メ人夫、畜類、車輛、船隻ヲ雇入ルハニ故障アルヘカラス若シ旅行者ニシテ旅券ヲ携帯セス又ハ法律ヲ犯ストキハ之ヲ處分スル爲メ最寄ノ領事官ニ引渡スヘシ但シ其ノ際唯必要ノ拘束ヲ加フルノミニシテ決シテ之ヲ虐待スヘカラス旅券ハ之ヲ發シタル日ヨリ清曆十三個月間効力ヲ有スヘシ日本國臣民旅券ヲ携帯セスシテ内地ニ旅行シタルトキハ三百兩ヲ超過セサル罰金ニ處スヘシ尤モ日本國臣民ハ各開港地ヨリ一百清里以內ニハ五日間ヲ限トシ旅券ヲ携帯セスシテ游歴スルコトヲ得但シ本條ノ規定ハ之ヲ船舶乗組ノ水夫ニ適用スルコトヲ得

MT

11257

01043

0148

REEL No. 1-0074

第七條

清國ノ開港地ニ住居スル日本國臣民ハ清國臣民ヲ雇入レ總テ正當ノ業務ニ之ヲ使用スルコトヲ得  
但シ清國政府又ハ官吏ニ於テ之ヲ制限シ或ハ妨碍スルコトヲ得ス

第八條

日本國臣民ハ荷物又ハ旅客運搬ノ爲メ一切ノ艇隻ヲ賃借スルコトヲ得而シテ之カ爲メ拂フヘキ金額ハ貸借人相互ノ間ニ於テ之ヲ定メ清國政府又ハ官吏之ニ干渉スルコトヲ得ヌ艇數ニ對シ制限ヲ置クヘカラス又ハ右艇隻ニ關シ若ハ貨物運搬ニ從事スル人夫ニ關シ何人ニモ專業免許ヲ附與スルコトヲ得ス而シテ右艇隻ヲ以テ密商ニ從事スルモノハ法ニ照シ之ヲ處罰スヘシ

第九條

清國ト泰西諸國トノ間ニ實施スル税目及税則ハ日本國臣民カ清國ヘ輸入シ若ハ日本國ヨリ清國ヘ輸入シ又ハ日本國臣民カ清國ヨリ輸出シ若ハ清國ヨリ日本國ヘ輸出スル際一切ノ物品ニ適用スヘシ清國ト泰西諸國トノ間ニ存在スル税目及税則ニ於テ特ニ輸入若ハ輸出ヲ制限シ若ハ禁止セサル物品ハ規定ノ輸入税若ハ輸出税ヲ拂フノミニテ自由ニ清國ヘ輸入シ若ハ清國ヨリ輸出スルコトヲ得ヘシ但シ日本國臣民ハ何等ノ場合ニ於テモ最惠國臣民若ハ人民カ清國ニ於テ現ニ納メ若ハ將來納ムヘキ輸出入税ニ異ナルカ或ハ之ヨリ多額ノ納税ヲ要セラル、コトナカルヘシ又日本國ヨリ清國ヘ輸入シ或ハ清

MT

11257 01044

國ヨリ日本國へ輸出スル一切ノ物品ハ其輸出入ニ際シ最惠國ヨリ輸入シ或ハ之へ輸出  
スル同條ノ物品ニ對シ清國ニ於テ現ニ課セラレ若ハ將來課セラルヘキモノト異ナルカ  
或ハ之ヨリ多額ノ稅ヲ課セラル、コトナカルヘシ

第十條

日本國臣民カ清國へ輸入シ或ハ日本國ヨリ清國へ輸入シタル一切ノ物品ハ現行章程ニ  
從ヒ開港場ト開港場ノ間ヲ運搬中其ノ所有者ノ國籍或ハ之ヲ運搬スル運具船舶ノ國籍  
如何ニ拘ハラズ之ニ對シ全ク各種ノ税金賦課金手数料釐金等ヲ取立ツヘカラス

第十一條

日本國臣民ニシテ輸入物品ヲ清國內地ノ市場ニ運搬セムト欲スルモノハ其ノ物品ノ有  
稅品ナルトキハ輸入稅ノ二分ノ一、無稅品ナルトキハ從價二分半ニ當ル抵代稅ヲ拂ヒ以  
テ其ノ物品ニ對スル一切ノ通過稅ノ免除ヲ受ルコト其ノ勝手タルヘシ而シテ右抵代稅  
ヲ拂ヒタルトキハ該物品ニ對シ一切ノ内地稅ヲ免除スル爲メ證書ヲ發附スヘキモノト

第十二條

但シ本條ハ輸入阿片ニハ適用セサルコト知ルヘシ

清國ニ在ル日本國臣民カ清國開港外ノ地ニ於テ買入レタル一切ノ清國生産物及物品ニ  
シテ輸出セラレムトスルモノハ前條ニ記載シタル稅率ニ依リ輸入稅ノ代リニ輸出稅ヲ  
基礎トシテ算出シタル抵代稅ヲ拂ヒタル上其ノ輸出ニ際シ單ニ輸出稅ヲ拂フ外ハ清國

五

MT

11257

01045

0150

REEL No. 1-0074

各地ニ於テ各種ノ税金賦課金手数料並金等ヲ免セラルヘシ但シ右ハ前記ノ生産物及物  
品ニシテ通邊税化拂ノ日ヨリ十二個月ノ期限内ニ現ニ外國ニ輸出セラレタル場合ニ限  
ル

日本國臣民カ清國ノ開港地ニ於テ買入レタル一切ノ清國生産物及物品ニシテ海外輸出  
ヲ禁セラレサルモノハ輸出ノ際單ニ輸出税ヲ納ムル外ハ一切ノ内地税賦課金手数料並  
金等ヲ免除セラルヘシ且日本國臣民カ清國各地ニ於テ輸出ノ爲メ買入レタル一切ノ物  
品モ亦現行章程ニ從ヒ各開港間ニ運搬スルヲ得ルモノトス

第三十條

商品ニシテ其ノ出所外國ニ屬スルコト僞ナク且之ニ對シ已ニ輸入税ヲ完納シタルトキ  
ハ其ノ輸入ノ日ヨリ三箇年内何時モ日本國臣民ニ於テ何等ノ輸出税ヲ納ムルコトナク  
シテ之ヲ清國ヨリ何レノ外國ヘモ輸出スルヲ得又該再輸出者ハ已ニ右商品ニ對シテ納  
メラレタル輸入税額ニ向テ清國税關ヨリ税金拂戻証書ヲ受クヘシ但シ該商品ハ原荷作  
ノ儘完全ニ保存セラレ異動ナキヲ要ス右拂戻証書ハ其ノ所有者ノ望ニ因リ清國税關官  
吏ニ於テ現金ヲ以テ之ヲ償辦スルヲ得ヘキモノトス

第四十條

清國政府ハ其ノ諸開港地ニ於テ官設倉庫ヲ設クルコトニ同意ス本件ニ關スル規則ハ追  
テ之ヲ設クヘシ

第五十條

MT

11257 01046

0151

REEL No. 1-0074

日本國ノ商船ニシテ噸數百五十噸以上ノモノハ清國ノ開港ニ入航スルニ當リ其ノ登記噸數壹噸ニ付清銀四錢ノ割ヲ以テ噸稅ヲ課セラルヘシ噸數百五十噸及其以下ノモノハ登記噸數壹噸ニ付壹錢ノ割トス然レトモ右船舶ニシテ其ノ積荷ニ異動ナク入港後四十八時間以内ニ出港スルモノハ噸稅ヲ免除セラルヘシ  
日本國ノ船舶前記ノ噸稅ヲ納メタル上ハ該稅ヲ納メタル港口出發ノ日ヨリ向テ四個月間ハ清國ノ何レノ開港或ハ立寄港ニ於テモ噸稅ヲ免除セラルヘシ但シ日本國ノ船舶ハ清國ニ於テ現ニ修繕ヲ加ヘ居ル間ハ噸稅ヲ納ムルヲ要セス  
清國ノ何レノ開港間ニ於テ旅客手荷物書契無稅品運搬ノ爲メ日本國臣民ノ使用スル小船及艇隻ハ噸稅ヲ納ムルコトナカルヘシ尤モ其ノ運搬ノ時ニ當リ稅金ヲ課セラルヘキ商品ヲ運搬スル所ノ小船及荷舟ハ總テ壹噸ニ付壹錢ノ割ヲ以テ四個月毎ニ一回噸稅ヲ納ムヘシ  
日本國ノ船舶及艇隻ニ對シテハ噸稅ノ外別ニ手数料或ハ賦金ヲ課スルコトナカルヘシ但シ日本國ノ船舶及艇隻ハ最惠國ノ船舶及艇隻ノ噸稅ニ異ナルカ又ハ之ヨリ多額ノ噸稅ヲ納ムルコトナシト知ルヘシ  
第十六條  
清國ノ開港ニ來航スル日本國ノ商船ハ其ノ入港ノ際隨意ニ水先案内者ヲ雇入ル、コトヲ得該商船總テ正當ノ諸稅皆納ノ止出發セムトスル時ハ出港ノ際ニモ亦水先案内者ヲ使用スルコトヲ得

七

MT

11257

01047



八

第十 七 條

日本國ノ商船破損又ハ其ノ他ノ理由ヲ以テ避難所ヲ要スルノ止ムヲ得サルニ至リタルトキハ最寄ノ何レノ清國港口ニモ入港スルコトヲ得尤モ其ノ船舶ノ修繕ヲ遂ル爲メ陸揚シタル物品ニ對シテハ諸稅若ハ噸稅ヲ拂フコトナカルヘシ

但シ該物品ハ稅關吏ノ監督ニ屬スルモノトス右等ノ船舶清國沿岸ニ於テ淺瀬ニ乗揚ケ又ハ難破シタルトキハ清國官吏ハ直ニ其ノ乘客及乗組員ヲ救助シ該船舶並ニ其ノ積荷ヲ安全ナラシムルノ措置ヲ施スヘシ而シテ救助シタル人々ニハ懸篤ノ待遇ヲ與ヘ必要ノ場合ニハ最寄ノ領事館ヲテ送届クヘシ

清國ノ商船破損又ハ其ノ他ノ理由ヲ以テ最寄ノ日本港口ニ避難所ヲ要スルノ止ムヲ得サルニ至リタルトキハ該船舶ハ日本官吏ヨリ同一ノ待遇ヲ享有スヘシ

第十 八 條

諸開港地ニ於ケル清國官吏ハ詐偽又ハ密商ノ爲メ收入ニ減少ヲ來タサル様其ノ必要ナリト認ムル措置ヲ施スヘシ

第十 九 條

日本國ノ船舶清國ノ強盜又ハ海賊ノ掠奪ニ遇フトキハ該強盜海賊ヲ逮捕處罰シ其ノ贓品ヲ取戻シ之ヲ其ノ持主ニ還付スルコトヲ務ムルハ清國官吏ノ職務タルヘシ

第十二 條

清國ニ在ル日本國臣民ノ身體財産ニ關スル裁判管轄權ハ當該日本國官吏ニ專屬ス日本

MT

11257 01048

國臣民或ハ一切ノ他國臣民又ハ人民ヨリ日本國臣民并ニ其ノ財産ニ係ル訴訟ハ總テ清國官吏ノ干渉ヲ受クルコトナク右官吏ニ於テ審理判決スヘシ

第二十一條

清國官吏又ハ臣民カ清國ニ在ル日本國臣民ニ對シ又ハ其ノ財産ニ關シ民事訴訟ヲ起ストキハ日本國官吏ニ於テ之ヲ審理判決スヘシ  
清國臣民ニ對シ又ハ其ノ財産ニ關シ清國ニ在ル日本國官吏或ハ臣民ヨリ起ス所ノ民事訴訟ハ總テ清國官吏ニ於テ之ヲ審理判決スヘシ

第二十二條

清國ニ於テ犯罪ノ被告トナリタル日本國臣民ハ日本國ノ法律ニ依リ日本國官吏之ヲ審理シ其ノ有罪ト認メタルトキハ之ヲ處罰スヘシ  
清國ニ在ル日本國臣民ニ對シ犯罪ノ被告トナリタル清國臣民ハ清國ノ法律ニ依リ清國官吏之ヲ審理シ其ノ有罪ト認メタルトキハ之ヲ處罰スヘシ

第二十三條

清國臣民カ日本國臣民ニ對シテ負債ヲ償辦セヌ又ハ詐僞逃亡スルトキハ清國官吏之ヲ逮捕シ其ノ負債ヲ償還セシムルコトヲ務ムヘシ日本國官吏ニ於テモ日本國臣民カ清國臣民ニ對シテ詐僞逃亡シ又ハ其ノ負債ヲ償辦セサルモノヲ處分スルコトヲ務ムヘシ

第二十四條

清國ニ在ル日本人ニシテ罪ヲ犯シ又ハ負債ヲ償辦セヌシテ詐僞逃亡シタル者清國ノ内

MT

11257

01049

0154

REEL No. 1-0074

地ニ通シ清國臣民ノ住居若ハ清國船舶中ニ潛伏スルトキハ清國官吏ハ日本國領事ヨリ  
請求次第日本國官吏ニ之ヲ引渡スヘシ

又清國ニ在ル清國人ニシテ罪ヲ犯シ又ハ負債ヲ償辦セスシテ詐僞逃亡シタル者清國ニ  
在ル日本國臣民ノ住居若ハ清國領海ニ於ケル日本國船舶中ニ潛伏スルトキハ清國官吏  
ヨリ日本國官吏ヘ請求次第之ヲ引渡スヘシ

## 第二十五條

日本國ノ政府及臣民ハ其ノ現在効力ヲ有スル日清間條約諸條款ニ據リ得タル一切ノ特  
權免除及利益ヲ享有スルコトヲ更ニ茲ニ確定ス

且日本國ノ政府及臣民ハ大清國皇帝陛下ヨリ他國ノ政府又ハ臣民ニ現ニ附與シ又ハ將  
來附與スヘキ一切ノ特權免除及利益ヲ享有スヘキコトヲ特ニ茲ニ規定ス

## 第二十六條

締盟國ノ一方ハ本條約批准交換ノ日ヨリ十個年ノ終ニ於テ税目及本條約ノ通商ニ關ス  
ル條款ノ改正ヲ要求スルコトヲ得然レトモ若シ最初十個年ノ終ヨリ起算シ六個月以内  
ニ兩締盟國ノ何レヨリモ右要求ヲ爲サズ改正ヲ行ハサルトキハ本條約並ニ税目ハ前十  
個年ノ終ヨリ起算シ更ニ十個年間其ノ儘効力ヲ有スヘシ而シテ其ノ後各十個年ノ終ニ  
於ケルモ亦同様タルヘシ

## 第二十七條

締盟國ハ本條約ノ効力ヲ完全ナラシムルニ必要ナル章程ヲ協議決定スヘシ尤モ右章程

MT

11257 01050

0155

REEL No. 1-0074

ノ實施セラル、ニ至ル迄ハ現ニ清國ト泰西諸國トノ間ニ存スル取極及章程ニシテ其ノ  
本條約ノ規定ニ矛盾セズシテ適用セラレ得ル限ハ締盟國ニ於テ之ヲ遵守スヘキモノト

## 第二十八條

本條約ハ日本文漢文及英文ニ調印スヘシ然レトモ將來議論ヲ防ク爲メ締盟國ノ全權大  
臣ハ日本文本文ト漢文本文トノ間ニ解釋ヲ異ニシタルトキハ其ノ異ナル點ハ英文本文  
ニ依テ之ヲ決裁スヘキコトヲ協議決定セリ

## 第二十九條

本條約ハ大日本國皇帝陛下及大清國皇帝陛下ニ於テ之ヲ批准セララルヘク而シテ其ノ批  
准書ハ本條約調印ノ日ヨリ三個月以内ニ可成速ニ北京ニ於テ之ヲ交換スヘシ  
右證據トシテ兩國ノ全權大臣本條約ニ記名調印スルモノナリ

明治二十九年七月二十一日即光緒二十二年六月十一日北京ニ於テ作ル

大日本帝國北京駐劄特命全權公使正四位勳一等男爵林 董 (記名) 印

大清帝國欽差全權大臣總理各國事務大臣尙書銜戶部左侍郎張蔭桓 (記名) 印

MT

11257 01051

奉天半島還付ニ關スル條約

MT

11257 01052

REEL No. 1-0074

0156

0157

REEL No. 1-0074

大日本國皇帝陛下及大清國皇帝陛下ハ日本國ヨリ奉天省南部ノ地一切ヲ清國ニ還付スル爲メニ條約ヲ締結スルコトニ決シ之カ爲メ大日本國皇帝陛下ハ北京駐劄特命全權公使正四位勳一等男爵林董ヲ大清國皇帝陛下ハ欽差全權大臣太子太傅文華殿大學士一等肅毅伯爵李鴻章ヲ各其ノ全權大臣ニ任命シタリ因テ兩國全權大臣ハ互ニ其ノ全權委任狀ヲ示シ其ノ善良妥當ナルヲ認メ左ノ諸條ヲ協議決定セリ

第一條

日本國ハ明治二十八年四月十七日即光緒二十一年三月二十三日締結ノ下ノ關條約第二條ニ因リ清國ヨリ日本國ヘ讓與シタル奉天省南部ノ地方即鴨綠江口ヨリ安平河口ニ至リ鳳凰城海城及營口ニ亘ル以南ノ各城市及遼東灣東岸並ニ黃海北岸ニ在テ奉天省ニ屬スル諸島嶼ノ主權ヲ舉テ本條約第三條ノ規定ニ依リ日本國軍隊ヲ撤退スル時該地方ニ現在スル城壘兵器製造所及官有物ト共ニ永遠清國ニ還付ス因テ下ノ關條約第三條及同條約中陸路交通及貿易ヲ律スル爲メ一ノ條約ヲ締結スヘシトノ規定ハ之ヲ取消ス

第二條

清國政府ハ奉天省南部ノ地還付ノ報酬トシテ庫平銀三千萬兩ヲ明治二十八年十一月十六日即光緒二十一年九月卅日迄ニ日本國政府ヘ拂入ルコトヲ約ス

第三條

本條約第二條ニ規定シタル報償金庫平銀三千萬兩ヲ清國ヨリ日本國ヘ拂入レタルトキ

MT

11257

01053

ハ其ノ日ヨリ三箇月以内ニ還付地ヨリ日本國軍隊ヲ總テ撤退スヘシ

第四條

清國ハ日本國軍隊還付地占領中ノ種々ノ關係ヲ有シタル清國臣民アルモ之ヲ處罰シ

若ハ處罰セシメサルコトヲ約ス

第五條

本條約ハ日本文漢文英文ニテ各二通ヲ作ル而シテ此三文ハ總テ同一ノ意義ヲ有スト

雖モ若シ日本文ト漢文トノ間ニ解釋チ異ニシタルトキハ英文ニ依テ決裁スヘキモノト

ス

第六條

本條約ハ大日本國皇帝陛下及大清國皇帝陛下ニ於テ批准セラレハク而シテ其ノ批准書

ハ本條約調印ノ日ヨリ三週間以内ニ北京ニ於テ之ヲ交換スヘシ

右証據トシテ兩國全權大臣ハ之ニ記名調印スルモノナリ

明治二十八年十一月八日即光緒二十一年九月二十二日北京ニ於テ作ル

大日本帝國北京駐劄特命全權公使正四位勳一等男爵林 董 (記名) 國

大清帝國欽差全權大臣太子太傅一等華嚴大學士李鴻章 (記名) 國

MT

11257 01054

0159

REEL No. 1-0074

交還奉天省南邊地方條約

大日本國

大皇帝陛下

大清國

大皇帝陛下欲締結條約由日本國交還奉天省南邊地方一切仍歸中國管理

大日本國

大皇帝陛下特簡

欽差駐劄北京全權大臣正四位勳一等男爵林

董

大清國

大皇帝陛下特簡

欽差全權大臣太子太傅文華殿大學士一等肅毅伯爵李鴻章

均作為全權大臣互示所奉

文憑妥當議定各條開列於左

第一款

日本國將明治二十八年四月十七日即光緒二十一年三月二十三日訂立下之關係約  
第二款中國讓與日本國管理之奉天省南邊地方即從鴨綠江口抵安平河口至鳳凰城  
海城及營口而止以南各城市邑以及遼東灣東岸黃海北岸奉天所屬諸島嶼併照本約  
第三款所定日本國軍隊一律撤回之時該地方內所有堡壘軍器工廠及一切屬公物件

MT

11257 01655



0150

REEL No. 1-0074

永遠交還中國因此下之關係約第三款並擬訂立陸路通商章程之事作為罷論

第二款

中國約為酬報交還奉天省南邊地方將軍庫平銀三千萬兩迨於明治二十八年十一月十六日即光緒二十一年九月三十日交與日本國政府

第三款

中國將本約第二款所定之酬款庫平銀三千萬兩交與日本國政府自是日起三箇月以內日本國軍隊從該交還地方一律撤回

第四款

中國約日本國軍隊占踞之間所有關涉該國軍隊之中國臣民概予寬貸並飭有司不得擅為逮繫

第五款

本約繕寫日本文漢文及英文各二分校對無論署名蓋印漢文與日本文遇有解釋字義不同之處以英文為憑

第六款

本約欽奉

大日本國

大皇帝陛下

大清國

MT

11257 01056

大皇帝陛下批准自署名蓋印之日起二十一日內在東京互換

爲此兩國全權大臣署名蓋印以昭信等

大日本帝國欽差駐劄北京全權大臣正四位勳一等男爵林董 印

大清帝國欽差全權大臣太子太傅一等華蓋大學士李鴻章 印

明治二十八年十一月初八日

光緒二十一年九月二十二日

訂於北京

MT

11257 01057

ARTICLE VI.

The present Convention shall be ratified by His Majesty the Emperor of Japan and His Majesty the Emperor of China and the ratifications thereof shall be exchanged at Peking within twenty one days from the present date.

In witness whereof the respective Plenipotentiaries have signed the same and have affixed thereto the seals of their arms.

Done at Peking this 8th day of the 11th month of the 28th year of Meiji, corresponding to the 22nd day of the 9th month of the 21st year of Kuang Hsi.

林

李

鴻

董

章

[L. S.]

[L. S.]

Baron, Shoshi Grand Cross of the Imperial  
Order of the Sacred Treasure, Grand  
Officer of the Imperial Order of the  
Rising Sun, Minister Plenipotentiary and Envoy  
Extraordinary.

Minister Plenipotentiary, Senior Tutor of  
the Heir Apparent, Senior Grand  
Secretary of State and Earl  
of the First Rank.

MT

11257 01058

His Majesty the Emperor of Japan and His Majesty the Emperor of China, desiring to conclude a Convention for the retrocession by Japan of all of the southern portion of the province of Feng Tien to the sovereignty of China, have for that purpose named as Their Plenipotentiaries, that is to say :

His Majesty the Emperor of Japan, Baron Hayashi Tadasu, Shiohiti Grand Cross of the Imperial Order of the Sacred Treasure, Grand Officer of the Imperial Order of the Rising Sun, Minister Plenipotentiary and Envoy Extraordinary; and His Majesty the Emperor of China, Li Hung-chang, Minister Plenipotentiary, Senior Tutor of the Heir Apparent, Senior Grand Secretary of State and Earl of the First Rank; who, after having communicated to each other their Full Powers, which were found to be in good and proper form, have agreed upon the following Articles :

#### ARTICLE I

Japan retrocedes to China in perpetuity and full sovereignty the southern portion of the province of Feng Tien, which was ceded to Japan under Article II of the Treaty of Shimonoseki of the 17th day of the 4th month of the 28th year of Meiji corresponding to the 28th day of the 3rd month of the 21st year of Kuang Hsi, together with all fortifications, arsenals and public property thereon at the time the retroceded territory is completely evacuated by the Japanese forces in accordance with the provisions of Article III of this Convention, that is to say, the southern portion of the province of Feng Tien from the mouth of the River Yalu to the mouth of the River An-ping, thence to Feng Huang Ch'ang, thence to Hsicheng and thence to Ying-Kow; also all cities and towns to the south of this boundary and all islands appertaining or belonging to the province of Feng Tien situated in the eastern portion of the Bay of Liao-Tung and in the northern part of the Yellow Sea. Article III of the said Treaty of Shimonoseki is in consequence suppressed, as are also the provisions in the same Treaty with reference to the conclusion of a Convention to regulate frontier intercourse and trade.

#### ARTICLE II.

As compensation for the retrocession of the southern portion of the province of Feng Tien, the Chinese Government engage to pay to the Japanese Government 30,000,000 Kiping Taels on or before the 16th day of the 11th month of the 28th year of Meiji, corresponding to the 30th day of the 9th month of the 21st year of Kuang Hsi.

#### ARTICLE III.

Within three months from the day on which China shall have paid to Japan the compensatory indemnity of 30,000,000 Kiping Taels provided for in Article II of this Convention, the retroceded territory shall be completely evacuated by the Japanese forces.

#### ARTICLE IV.

China engages not to punish in any manner nor to allow to be punished those Chinese subjects who have in any manner been compromised in connection with the occupation by the Japanese forces of the retroceded territory.

#### ARTICLE V.

The present Convention is signed in duplicate in the Japanese, Chinese and English languages. All these texts have the same meaning and intention, but in case of any differences of interpretation between the Japanese and Chinese texts such differences shall be decided by reference to the English text.

MT

11257 01059

MT

11257 01060

媾  
和  
條  
約

REEL No. 1-0074

0164

(媾和條約)

大日本國皇帝陛下及大清國皇帝陛下ハ兩國及其ノ臣民ニ平和ノ幸福ヲ回復シ且將來紛  
議ノ端ヲ除クコトヲ欲シ媾和條約ヲ訂結スル爲メニ大日本國皇帝陛下ハ内閣總理大臣  
從二位勳一等伯爵伊藤博文外務大臣從二位勳一等子爵陸奥宗光ヲ大清國皇帝陛下ハ太  
子太傅文華殿大學士北洋大臣直隸總督一等肅毅伯李鴻章二品頂戴前出使大臣李經方ヲ  
各其ノ全權大臣ニ任命セリ因テ各全權大臣ハ互ニ其ノ委任狀ヲ示シ其ノ良好妥當ナル  
ヲ認メ以テ左ノ諸條款ヲ協議決定セリ

第一條

清國ハ朝鮮國ノ完全無缺ナル獨立自主ノ國タルコトヲ確認ス因テ右獨立自主ヲ損害ス  
ヘキ朝鮮國ヨリ清國ニ對スル貢獻典禮等ハ將來全ク之ヲ廢止スヘシ

第二條

清國ハ左記ノ土地ノ主權並ニ該地方ニ在ル城壘兵器製造所及官有物ヲ永遠日本國ニ割  
與ス

一 左ノ經界内ニ在ル奉天省南部ノ地

鴨綠江口ヨリ該江ヲ溯リ安平河口ニ至リ該河口ヨリ鳳凰城海城營口ニ亘リ遼  
河口ニ至ル折線以南ノ地併セテ前記ノ各城市ヲ包含ス而シテ遼河ヲ以テ界ト  
スル處ハ該河ノ中央ヲ以テ經界トスルコト、知ルヘシ  
遼東灣東岸及黃海北岸ニ在テ奉天省ニ屬スル諸島嶼

MT

11257 01061

0166

REEL No. 1-0074

二臺灣全島及其ノ附屬諸島嶼

三澎湖列島即英國「グリニッシュ」東經百十九度乃至百二十度及北緯二十三度乃至二十四度ノ間ニ在ル諸島嶼

### 第三條

前條ニ掲載シ附屬地圖ニ示ス所ノ經界線ハ本約批准交換後直チニ日清兩國ヨリ各二名以上ノ境界共同勘定委員ヲ任命シ實地ニ就テ確定スル所アルヘキモノトス而シテ若本約ニ掲載スル所ノ境界ニシテ地形上又ハ施政上ノ點ニ付完全ナラサルニ於テハ該境界勘定委員ハ之ヲ更正スルコトニ任スヘシ

該境界勘定委員ハ成ルヘク速ニ其ノ任務ニ従事シ其ノ任命後一箇年以内ニ之ヲ終了スヘシ

但シ該境界勘定委員ニ於テ更定スル所アルニ當リテ其ノ更定シタル所ニ對シ日清兩國政府ニ於テ可認スル迄ハ本約ニ掲載スル所ノ經界線ヲ維持スヘシ

### 第四條

清國ハ軍費賠償金トシテ庫平銀貳億兩ヲ日本國ニ支拂フヘキコトヲ約ス右金額ハ都合八回ニ分チ初回及次回ニハ毎回五千萬兩ヲ支拂フヘシ而シテ初回ノ拂込ハ本約批准交換後六個月以内ニ次回ノ拂込ハ本約批准交換後十二個月以内ニ於テスヘシ残りノ金額ハ六箇年賦ニ分チ其ノ第一次ハ本約批准交換後二箇年以内ニ其ノ第二次ハ本約批准交換後三箇年以内ニ其ノ第三次ハ本約批准交換後四箇年以内ニ其ノ第四次ハ本約批准交換

MT

11257 01062

換後五箇年以内ニ其ノ第五次ハ本約批准交換後六箇年以内ニ其ノ第六次ハ本約批准交換後七箇年以内ニ支拂フヘシ又初回拂込ノ期日ヨリ以後未タ拂込ヲ了ラサル額ニ對シテハ毎年百分ノ五ノ利子ヲ支拂フヘキモノトス

但シ清國ハ何時タリトモ該賠償金ノ全額或ハ其ノ幾分ヲ前以テ一時ニ支拂フコトヲ得ヘシ如シ本約批准交換後三箇年以内ニ該賠償金ノ總額ヲ皆済スルトキハ總テ利子ヲ免除スヘシ若夫迄ニ二箇年半若ハ更ニ短期ノ利子ヲ拂込ミタルモノアルトキハ之ヲ元金ニ編入スヘシ

### 第五條

日本國ハ割與セラレタル地方ノ住民ニシテ右割與セラレタル地方ノ外ニ住居セムト欲スル者ハ自由ニ其ノ所有不動産ヲ賣却シテ退去スルコトヲ得ヘシ其ノ爲メ本約批准交換ノ日ヨリ二箇年間ヲ猶豫スヘシ但シ右年限ノ滿チタルトキハ未タ該地方ヲ去ラサル住民ヲ日本國ノ都合ニ因リ日本國臣民ト視為スコトアルヘシ

日清兩國政府ハ本約批准交換後直チニ各一名以上ノ委員ヲ臺灣省ヘ派遣シ該省ノ受渡ヲ爲スヘシ而シテ本約批准交換後二個月以内ニ右受渡ヲ完了スヘシ

### 第六條

日清兩國間ノ一切ノ條約ハ交戦ノ爲メ消滅シタレハ清國ハ本約批准交換ノ後速ニ全權委員ヲ任命シ日本國全權委員ト通商航海條約及陸路交通貿易ニ關スル約定ヲ締結スヘキコトヲ約ス而シテ現ニ清國ト歐洲各國トノ間ニ存在スル諸條約章程ヲ以テ該日清兩



0168

REEL No. 1-0074

四  
國間諸條約ノ基礎ト爲スヘシ又本約批准交換ノ日ヨリ該諸條約ノ實施ニ至ル迄ハ清國  
ハ日本國政府官吏商業航海陸路交通貿易工業船舶及臣民ニ對シ總テ最惠國待遇ヲ與フ  
ヘシ  
清國ハ右ノ外左ノ讓與ヲ爲シ而シテ該讓與ハ本約調印ノ日ヨリ六個月ノ後有效ノモ  
トス

第一清國ニ於テ現ニ各外國ニ向テ開キ居ル所ノ各市港ノ外ニ日本國臣民ノ商業住居  
工業及製造業ノ爲メニ左ノ市港ヲ開クヘシ但シ現ニ清國ノ開市場開港場ニ行ハ  
ルル所ト同一ノ條件ニ於テ同一ノ特典及便益ヲ享有スヘキモノトス

- 一湖北省荊州府沙市
- 二四川省重慶府
- 三江蘇省蘇州府
- 四浙江省杭州府

日本國政府ハ以上列記スル所ノ市港中何レノ處ニモ領事官ヲ置クノ權利アルモ  
ノトス

第二旅客及貨物運送ノ爲メ日本國滿船ノ航路ヲ左記ノ場所ニ迄擴張スヘシ

一楊子江上流湖北省宜昌ヨリ四川省重慶ニ至ル

二上海ヨリ吳淞江及運河ニ入り蘇州杭州ニ至ル

日清兩國ニ於テ新章程ヲ妥定スル迄ハ前記航路ニ關シ適用シ得ヘキ限ハ外國船

MT

11257 C1064

0169

REEL No. 1-0074

第三 日本國臣民ハ清國內地ニ於テ貨品及生産物ヲ購買シ又ハ其ノ輸入シタル商品ヲ

清國內地ヘ運送スルニハ右購買品又ハ運送品ヲ倉入スル爲メ何等ノ税金取立金

ヲモ納ムルコトナク一時倉庫ヲ借入ル、ノ權利ヲ有スヘシ

第四 日本國臣民ハ清國各開市場開港場ニ於テ自由ニ各種ノ製造業ニ従事スルコトヲ

得ヘク又所定ノ輸入税ヲ拂フノミニテ自由ニ各種ノ器械類ヲ清國ヘ輸入スルコ

トヲ得ヘシ

清國ニ於ケル日本國臣民ノ製造ニ係ル一切ノ貨品ハ各種ノ内國運送税内地税賦

課金取立金ニ關シ又清國內地ニ於ケル倉入上ノ便益ニ關シ日本國臣民ハ清國ヘ

輸入シタル商品ト同一ノ取扱ヲ受ケ且同一ノ特典免除ヲ享有スヘキモノトス

此等ノ讓與ニ關シ更ニ章程ヲ規定スルコトヲ要スル場合ニハ之ヲ本條ニ規定スル所ノ

通商航海條約中ニ具載スヘキモノトス

### 第七 條

現ニ清國版圖内ニ在ル日本國軍隊ノ撤回ハ本約批准交換後三個月内ニ於テスヘシ但シ

次條ニ載スル所ノ規定ニ従フヘキモノトス

### 第八 條

清國ハ本約ノ規定ヲ誠實ニ施行スヘキ擔保トシテ日本國軍隊ノ一時山東省威海衛ヲ占

領スルコトヲ承諾ス而シテ本約ニ規定シタル軍費賠償金ノ初回次回ノ拂込ヲ了リ通商

五

[M.T.]

11257

01065

六

航海條約ノ批准交換ヲ了リタル時ニ當リテ清國政府ニテ右賠償金ノ殘額ノ元利ニ對シ  
充分適當ナル取極ヲ立テ清國海關稅ヲ以テ抵當ト爲スコトヲ承諾スルニ於テハ日本國  
ハ其ノ軍隊ヲ前記ノ場處ヨリ撤回スヘシ若又之ニ關シ充分適當ナル取極立タサル場合  
ニハ該賠償金ノ最終回ノ拂込ヲ了リタル時ニ非サレハ撤回セサルヘシ尤通商航海條約  
ノ批准交換ヲ了リタル後ニ非サレハ軍隊ノ撤回ヲ行ハサルモノト承知スヘシ

### 第九條

本約批准交換ノ上ハ直チニ其ノ時現ニ有ル所ノ俘虜ヲ還附スヘシ而シテ清國ハ日本國  
ヨリ斯ク還附セラレタル所ノ俘虜ヲ虐待若ハ處刑セサルヘキコトヲ約ス

日本國臣民ニシテ軍事上ノ間諜若ハ犯罪者ト認メラレタルモノハ清國ニ於テ直チニ解  
放スヘキコトヲ約シ清國ハ又交戰中日本國軍隊ト種々ノ關係ヲ有シタル清國臣民ニ對  
シ如何ナル處刑ヲモ爲サス又之ヲ爲サシメサルコトヲ約ス

### 第十條

本約批准交換ノ日ヨリ攻戰ヲ止息スヘシ

### 第十一條

本約ハ大日本國皇帝陛下及大清國皇帝陛下ニ於テ批准セラルヘク而シテ右批准ハ芝罘  
ニ於テ明治二十八年五月八日即光緒二十一年四月十四日ニ交換セラルヘシ

右證據トシテ兩帝國全權大臣ハ茲ニ記名調印スルモノナリ

明治二十八年四月十七日即光緒二十一年三月二十三日下ノ關ニ於テ二通ヲ作ル

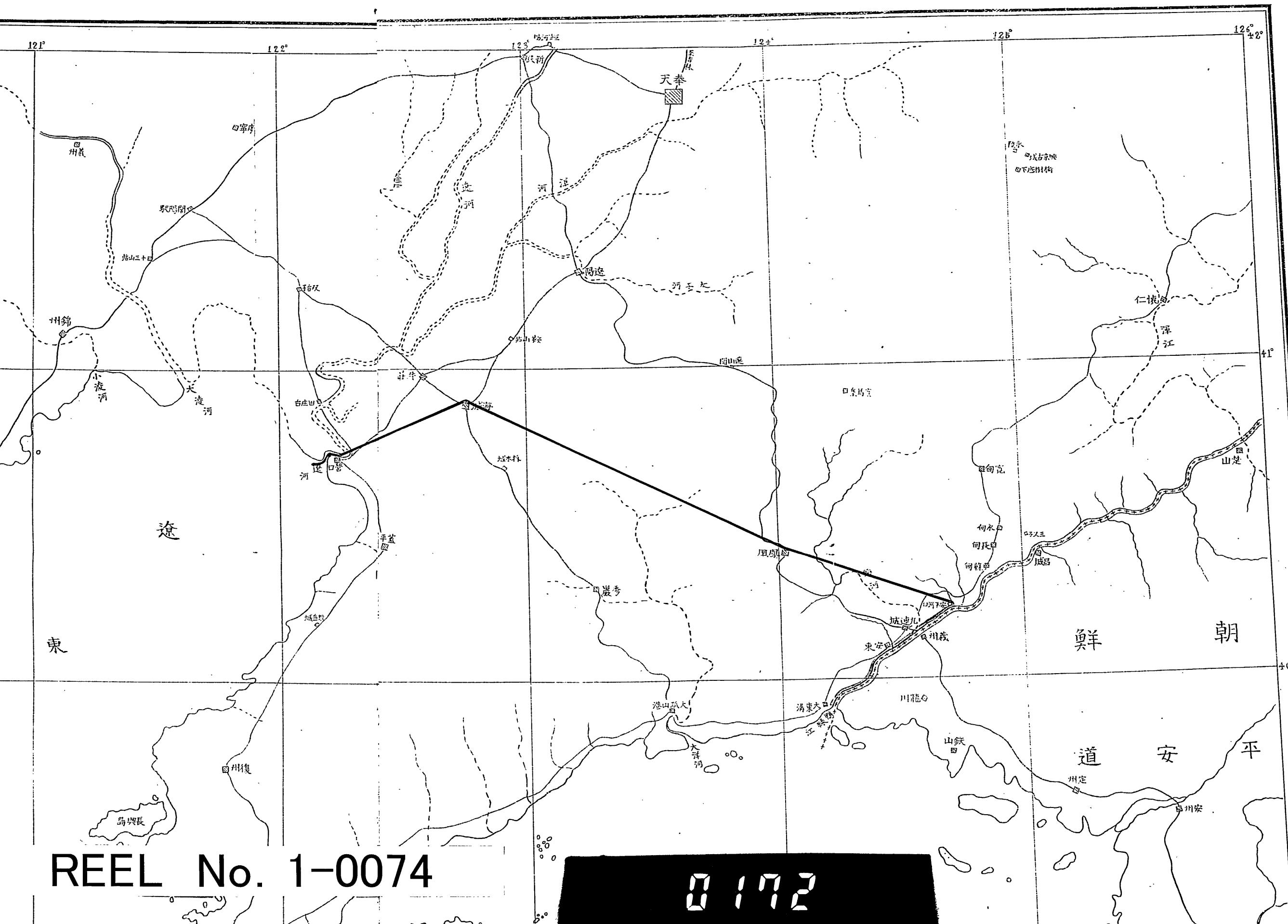
MT

11257 01066

大日本帝國全權辦理大臣内閣總理大臣從二位勳一等伯爵伊藤博文(記名)印  
大日本帝國全權辦理大臣外務大臣從二位勳一等子爵陸奥宗光(記名)印  
大清帝國欽差頭等全權大臣太子太傅文華殿大學士北洋大臣李鴻章(記名)印  
大清帝國欽差全權大臣二品頂戴前出使大臣李經方(記名)印

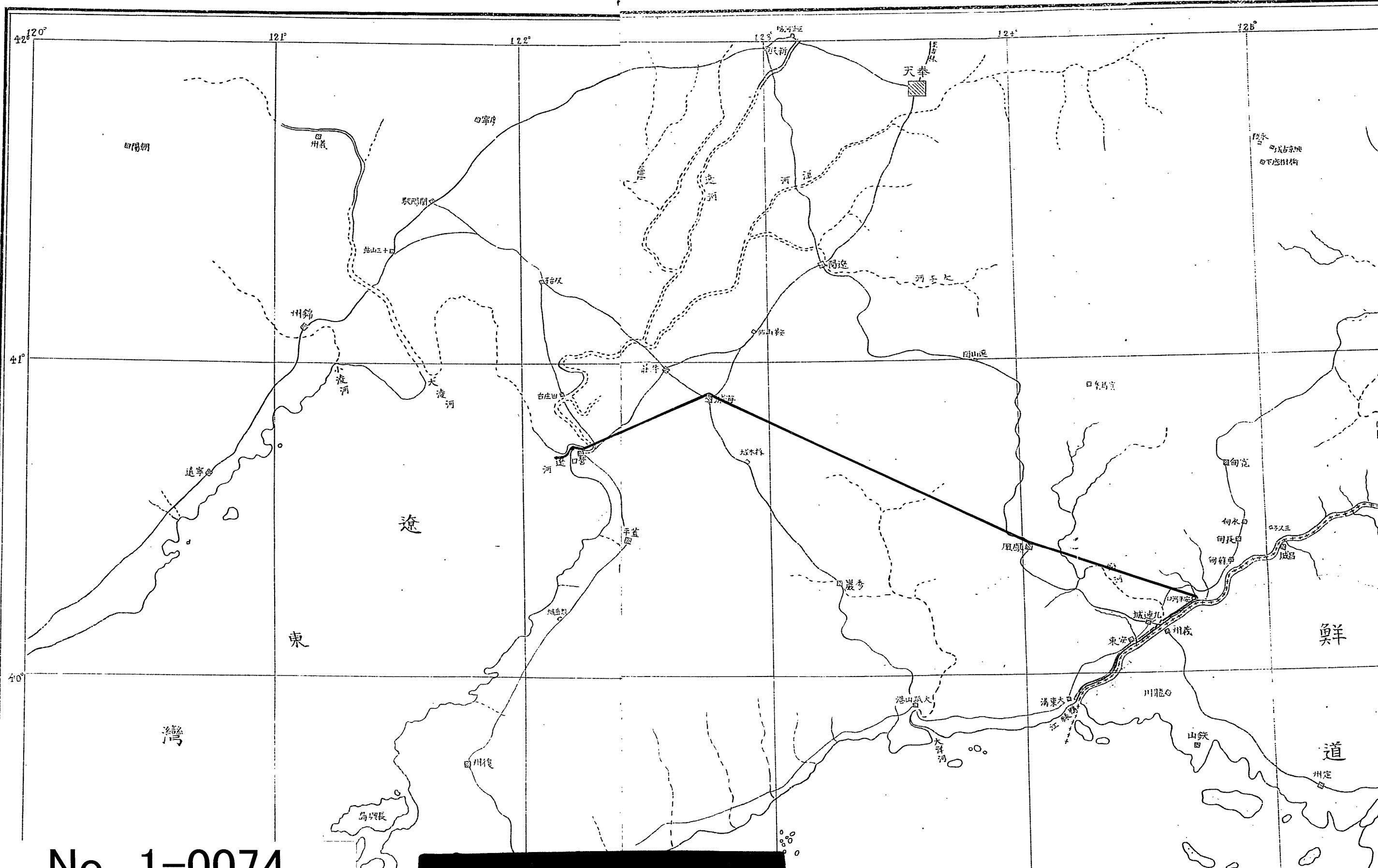
MT

11257 6167



REEL No. 1-0074

0172



REEL No. 1-0074

0173







0123

REEL No. 1-0074

# 議定書

大日本國皇帝陛下ノ政府及大清國皇帝陛下ノ政府ハ本日調印シタル媾和條約中ノ意義ニ付將來誤解ヲ生スルコトヲ避ケムト欲スル目的ヲ以テ双方ノ全權大臣ハ左ノ約定ニ同意セリ

第一 本日調印セシ媾和條約ニ附スル所ノ英譯文ハ該條約ノ日本文本文及漢文本文ト同一ノ意義ヲ有スルモノタルコトヲ約ス

第二 若該條約ノ日本文本文ト漢文本文トノ間ニ解釋ヲ異ニシタルトキハ前記英譯文ニ依テ決裁スヘキコトヲ約ス

第三 左ニ記名スル所ノ全權大臣ハ本議定書ハ本日調印シタル媾和條約ト同時ニ各兩帝國政府ニ提供シ而シテ該條約批准セラレハトキハ本議定書ニ掲載スル所ノ諸約定モ別ニ正式ノ批准ヲ要セスシテ亦兩帝國政府ノ可認セシモノト見做スヘキコトヲ約ス

右證據トシテ兩帝國全權大臣ハ之ニ記名調印スルモノナリ

明治二十八年四月十七日即光緒二十一年三月二十三日下ノ關ニ於テ二道ヲ作ル

大日本帝國全權辦理大臣内閣總理大臣從二位勳一等伯爵伊藤博文(記名印)

大日本帝國全權辦理大臣外務大臣從二位勳一等子爵陸奥宗光(記名印)

大清帝國欽差頭等全權大臣直太子太傅文華殿大學士北洋大臣李鴻章(記名印)

大清帝國欽差全權大臣二品頂戴前出使大臣李經方(記名印)

MT

11257

01069

( 4 )

ARTICLE IX.

Immediately upon the exchange of the ratifications of this Act, all prisoners of war then held shall be restored and China undertakes not to ill-treat or punish prisoners of war so restored to her by Japan. China also engages to at once release all Japanese subjects accused of being military spies or charged with any other military offences. China further engages not to punish in any manner nor to allow to be punished, those Chinese subjects who have in any manner been compromised in their relations with the Japanese army during the war.

ARTICLE X.

All offensive military operations shall cease upon the exchange of the ratifications of this Act.

ARTICLE XI.

The present Act shall be ratified by Their Majesties the Emperor of Japan and the Emperor of China and the ratifications shall be exchanged at Chetcoo, on the 8th day of the 5th month of the 28th year of Meiji, corresponding to 14th day of the 4th month of the 21st year of Kuang Hsi.

In witness whereof, the respective Plenipotentiaries have signed the same and have affixed thereto the seal of their arms.

Done at Shimonoishi, in duplicate, this 17th day of the 4th month of the 28th year of Meiji, corresponding to 23rd day of the 3rd month of the 21st year of Kuang Hsi.

COUNT ITO HIROBUMI. [L.S.]  
*Junii, Grand Cross of the Imperial Order of Paulownia,  
Minister President of State, Plenipotentiary of  
His Majesty the Emperor of Japan.*

VISCOUNT MUTSU MUNEMITSU. [L.S.]  
*Junii, First Class of the Imperial Order of the Sacred  
Treasure, Minister of State for Foreign  
Affairs, Plenipotentiary of His Majesty  
the Emperor of Japan.*

LI HUNG-CHANG. [L.S.]  
*Plenipotentiary of His Majesty the Emperor of China;  
Senior Tutor to the Heir Apparent; Senior Grand  
Secretary of State; Minister Superintendent  
of Trade for the Northern Ports of China;  
Viceroy of the Province of Chihli  
and Earl of the First Rank.*

LI CHING-FONG.  
*Plenipotentiary of His Majesty the Emperor of China,  
Ex-Minister of the Diplomatic Service,  
of the Second Official Rank.*

[MT]

11257 01070

0178

REEL No. 1-0074

- 1.—Shushih in the Provinces of Hupel.
- 2.—Chung King in the Province of Szechuan.
- 3.—Suchow in the Province of Kiang Su.
- 4.—Hangchow in the Province of Chekiang.

The Japanese Government shall have the right to station Consuls at any or all of the above named places.

2nd.—Steam navigation for vessels under the Japanese flag for the conveyance of passengers and cargo, shall be extended to the following places:

- 1.—On the Upper Yangtze River, from Ichang to Chung King.
- 2.—On the Woosung River and the Canal, from Shanghai to Suchow and Hangchow.

The Rules and Regulations which now govern the navigation of the inland waters of China by foreign vessels, shall, so far as applicable, be enforced in respect of the above named routes, until new Rules and Regulations are conjointly agreed to.

3rd.—Japanese subjects purchasing goods or produce in the interior of China or transporting imported merchandise into the interior of China, shall have the right temporarily to rent or hire warehouses for the storage of the articles so purchased or transported, without the payment of any taxes or exactions whatever.

4th.—Japanese subjects shall be free to engage in all kinds of manufacturing industries in all the open cities, towns and ports of China, and shall be at liberty to import into China all kinds of machinery paying only the stipulated import duties thereon.

All articles manufactured by Japanese subjects in China, shall in respect of inland transit and internal taxes, duties, charges and exactions of all kinds and also in respect of warehousing and storage facilities in the interior of China, stand upon the same footing and enjoy the same privileges and exemptions as merchandise imported by Japanese subjects into China.

In the event additional Rules and Regulations are necessary in connection with these concessions, they shall be embodied in the Treaty of Commerce and Navigation provided for by this Article.

#### ARTICLE VII.

Subject to the provisions of the next succeeding Article, the evacuation of China by the armies of Japan, shall be completely effected within three months after the exchange of the ratifications of the present Act.

#### ARTICLE VIII.

As a guarantee of the faithful performance of the stipulations of this Act, China consents to the temporary occupation by the military forces of Japan, of Wei-hai-wei in the Province of Shanlung.

Upon the payment of the first two instalments of the war indemnity herein stipulated for and the exchange of the ratifications of the Treaty of Commerce and Navigation, the said place shall be evacuated by the Japanese forces, provided the Chinese Government consents to pledge, under suitable and sufficient arrangements, the Customs Revenue of China as security for the payment of the principal and interest of the remaining instalments of said indemnity. In the event no such arrangements are concluded, such evacuation shall only take place upon the payment of the final instalment of said indemnity.

It is, however, expressly understood that no such evacuation shall take place until after the exchange of the ratifications of the Treaty of Commerce and Navigation.

MT

11257 61071

The Delimitation Commission will enter upon its duties as soon as possible and will bring its labors to a conclusion within the period of one year after appointment.

The alignments laid down in this Act, shall, however, be maintained until the rectifications of the Delimitation Commission if any are made, shall have received the approval of the Governments of Japan and China.

#### ARTICLE IV.

China agrees to pay to Japan as a war indemnity, the sum of 200,000,000 Kiping Taels. The said sum to be paid in eight instalments. The first instalment of 50,000,000 taels, to be paid within six months, and the second instalment of 50,000,000 taels to be paid within twelve months, after the exchange of the ratifications of this Act. The remaining sum to be paid in six equal annual instalments as follows: The first of such equal annual instalments to be paid within two years; the second within three years; the third within four years; the fourth within five years; the fifth within six years, and the sixth within seven years, after the exchange of the ratifications of this Act. Interest at the rate of 5 per centum per annum shall begin to run on all unpaid portions of the said indemnity from the date the first instalment falls due.

China shall, however, have the right to pay by anticipation at any time any or all of said instalments. In case the whole amount of the said indemnity is paid within three years after the exchange of the ratifications of the present Act, all interest shall be waived and the interest for two years and a half or for any less period if then already paid shall be included as a part of the principal amount of the indemnity.

#### ARTICLE V.

The inhabitants of the territories ceded to Japan, who wish to take up their residence outside the ceded districts, shall be at liberty to sell their real property and retire. For this purpose a period of two years from the date of the exchange of the ratifications of the present Act, shall be granted. At the expiration of that period those of the inhabitants who shall not have left such territories shall at the option of Japan, be deemed to be Japanese subjects.

Each of the two Governments shall immediately upon the exchange of the ratifications of the present Act, send one or more Commissioners to Formosa to effect a final transfer of that Province and within the space of two months after the exchange of the ratifications of this Act, such transfer shall be completed.

#### ARTICLE VI.

All treaties between Japan and China having come to an end in consequence of war, China engages immediately upon the exchange of the ratifications of this Act, to appoint Plenipotentiaries to conclude, with the Japanese Plenipotentiaries, a Treaty of Commerce and Navigation and a Convention to regulate Frontier Intercourse and Trade. The Treaties, Conventions and Regulations now subsisting between China and European Powers shall serve as a basis for the said Treaty and Convention between Japan and China. From the date of the exchange of the ratifications of this Act until the said Treaty and Convention are brought into actual operation, the Japanese Government, its officials; commerce; navigation; frontier intercourse and trade; ships and subjects, shall, in every respect, be accorded by China most favored nation treatment.

China makes in addition the following concessions, to take effect six months after the date of the present Act:

1st.—The following cities, towns and ports, in addition to those already opened, shall be opened to the trade, residence, industries and manufactures of Japanese subjects, under the same conditions and with the same privileges and facilities as exist at the present open cities, towns and ports of China:

MT 11257 01072

His Majesty the Emperor of Japan and His Majesty the Emperor of China, desiring to restore the blessings of peace to their countries and subjects and to remove all cause for future complications, have named as their Plenipotentiaries for the purpose of concluding a Treaty of Peace, that is to say:

His Majesty the Emperor of Japan, Count Ito Hirobumi, Junii, Grand Cross of the Imperial Order of Paulownia, Minister President of State, and Viscount Munshi Munemitsu, Junii, First Class of the Imperial Order of the Sacred Treasure, Minister of State for Foreign Affairs;

And His Majesty the Emperor of China, Li Hung-Chang, Senior Tutor to the Heir Apparent, Senior Grand Secretary of State, Minister Superintendent of Trade for the Northern Ports of China, Viceroy of the Province of Chihli and Earl of the First Rank, and Li Ching-Fong, Ex-Minister of the Diplomatic Service, of the Second Official Rank;

Who, after having exchanged their Full Powers, which were found to be in good and proper form, have agreed to the following Articles:

#### ARTICLE I.

China recognizes definitively the full and complete independence and autonomy of Corea, and in consequence, the payment of tribute and the performance of ceremonies and formalities by Corea to China in derogation of such independence and autonomy, shall wholly cease for the future.

#### ARTICLE II.

China cedes to Japan in perpetuity and full sovereignty, the following territories together with all fortifications, arsenals and public property thereon:

a) —The southern portion of the Province of Feng-Tien within the following boundaries:

The line of demarcation begins at the mouth of the River Yalu and ascends that stream to the mouth of the River An-ping; from thence the line runs to Feng Huang; from thence to Hsiehlang, from thence to Ying Kow, forming a line which describes the southern portion of the territory. The places above named are included in the ceded territory. When the line reaches the River Liao at Ying Kow it follows the course of that stream to its mouth where it terminates. The mid-channel of the River Liao shall be taken as the line of demarcation.

This cession also includes all Islands appertaining or belonging to the Province of Feng-Tien situated in the eastern portion of the Bay of Liao-Yung and in the northern part of the Yellow Sea.

b) —The Island of Formosa, together with all Islands appertaining or belonging to the said Island of Formosa.

c) —The Pescadore Group, that is to say, all Islands lying between the 119th and 120th degrees of longitude east of Greenwich and the 23rd and 24th degrees of north latitude.

#### ARTICLE III.

The alignments of the frontiers described in the preceding Article, and shown on the annexed Map, shall be subject to verification and demarcation on the spot, by a Joint Commission of Delimitation, consisting of two or more Japanese and two or more Chinese Delegates to be appointed immediately after the exchange of the ratifications of this Act. In case the boundaries laid down in this Act are found to be defective at any point, either on account of topography or in consideration of good administration, it shall also be the duty of the Delimitation Commission to rectify the same.

MT

11257 01073

0181

REEL No. 1-0074

## 別 約

第一條 本日調印シタル塘和條約第八條ノ規定ニ依リテ一時威海衛ヲ占領スヘキ日本國軍隊ハ一旅團ヲ超過セサルヘシ而シテ該條約批准交換ノ日ヨリ清國ハ毎年右一時占領ニ關スル費用ノ四分ノ一庫平銀五十萬兩ヲ支拂フヘシ

第二條 威海衛ニ於ケル一時占領地ハ劉公島及威海衛灣ノ全沿岸ヨリ日本里數五里ノ地ヲ以テ其ノ區域ト爲スヘシ

右一時占領地ノ經界線ヲ距ルコト日本里數五里ノ地内ニ在リテハ何レノ所タリトモ清國軍隊ノ之ニ近ヅキ若ハ之ヲ占領スルコトヲ許サハルヘシ

第三條 一時占領地ノ行政事務ハ仍ホ清國官吏ノ管理ニ歸スルモノトス但シ清國官吏ハ常ニ日本國占領軍司令官カ其ノ軍隊ノ健康安全紀律ニ關シ又ハ之カ維持配置上ニ付必要ト認メ發スル所ノ命令ニ服従スヘキ義務アルモノトス

一時占領地内ニ於テ犯シタル一切ノ軍事上ノ罪科ハ日本國軍務官ノ裁判管轄ニ屬スルモノトス

此ノ別約ハ本日調印シタル塘和條約中ニ悉ク記入シタルト同一ノ効力ヲ有スルモノトス

右證據トシテ兩帝國全權大臣ハ之ニ記名調印スルモノナリ

明治二十八年四月十七日即光緒二十一年三月二十三日下ノ關ニ於テ二通ヲ作ル

[MT]

11257 01674

大日本帝國全權辦理大臣內閣總理大臣從二位勳一等伯爵伊藤博文(記名)印  
大日本帝國全權辦理大臣外務大臣從二位勳一等子爵陸奥宗光(記名)印  
大清帝國欽差頭等全權大臣太子太傅文華殿大學士北洋大臣李鴻章(記名)印  
大清帝國欽差全權大臣二品頂戴前出使大臣李經方(記名)印

MT 11257 C1075

(休戦定約)

大日本國皇帝陛下ハ今回不慮ノ變事ノ爲メ媾和談判ノ進行ヲ妨碍セシテ以テ茲ニ一時  
休戦ヲ承諾スヘキコトヲ其ノ全權辦理大臣ニ命セラレタリ因テ大日本國皇帝陛下ノ全  
權辦理大臣内閣總理大臣從二位勳一等伯爵伊藤博文全權辦理大臣外務大臣從二位勳一  
等子爵陸奥宗光及大清國皇帝陛下ノ欽差頭等全權大臣太子太傅文華殿大學士北洋大臣  
直隸總督一等肅毅伯李鴻章ハ左ノ休戦定約ヲ訂結セリ

第一條

大清兩帝國政府ハ奉天省直隸省山東省地方ニ在テ下ニ記スル所ノ條項ニ從ヒ兩國海陸  
軍ノ休戦ヲ約ス

第二條

本定約ノ効力ニ依テ休戦スヘキ軍隊ハ實際ニ交戦ヲ停止スル時ニ當リテ各其ノ屯駐スル  
所ノ場處ヲ保持スルノ權利ヲ有スヘシ但シ本定約ノ期限内ハ如何ナル場合タリトモ前  
記ノ場處以外ニ進出スルコトナカルヘキモノトス

第三條

大清兩帝國政府ハ本定約ノ存スル間ハ攻守ノ孰レヲ問ハス各其ノ對陣ノ方面ニ於テ進  
撃ノ備ヲ加ヘ或ハ援兵ヲ派シ其ノ他一切戰鬥力ヲ増加セサルヘキコトヲ約ス然レトモ  
現ニ戦地ニ於テ戰鬥ニ從事スヘキ軍隊ヲ増加スルノ目的ニ非サル以上ハ兩帝國政府ニ  
於テ新々ニ兵員ヲ配置運送スルコトヲ妨ケサルモノトス

MT

11257 01076



0186

REEL No. 1-0074

第 四 條  
海上ニ於ケル兵員軍需及其ノ他一切戰時禁制品ノ運送ハ戰時常規ニ依リ捕獲セラル、  
コトアルヘキモノトス

第 五 條  
日清兩帝國政府ハ本定約調印ノ日ヨリ二十一日間ヲ限リ休戦ヲ實行スルモノトス尤兩  
國軍隊ノ屯駐スル場處ニシテ電信ノ通セサル處ヘハ敏速ノ方法ヲ以テ休戦ノ命令ヲ發  
スヘシ而シテ兩國軍隊司令官ニテ右命令ヲ受ケタルトキハ互ニ相其ノ趣ヲ通知シ休戦  
ノ措置ヲ爲スヘキモノトス

第 六 條  
本定約ハ別ニ互ニ通知ヲ要セズ明治二十八年四月二十日即光緒二十一年三月二十六日  
ノ正午ニ於テ終了スヘシ而シテ若右期限内ニ於テ媾和談判不調ナルトキハ本定約ハ同  
時ニ終了スルモノトス

右證據トシテ日清兩帝國全權大臣ハ茲ニ記名調印スルモノナリ  
明治二十八年三月三十日即光緒二十一年三月五日下午ノ關ニ於テ作ル  
大日本帝國全權辦理大臣内閣總理大臣從二位勳一等伯爵伊藤博文(記名印)  
大日本帝國全權辦理大臣外務大臣從二位勳一等子爵陸奥宗光(記名印)  
大清帝國欽差頭等全權大臣太子太傅文華殿大學士一等肅毅伯李鴻章(記名印)

MT

11257 01077

(追加休戦定約)

下ニ記名スル大日本國皇帝陛下ノ全權辦理大臣内閣總理大臣從二位勳一等伯爵伊藤博文及全權辦理大臣外務大臣從二位勳一等子爵陸奥宗光及大清國皇帝陛下ノ欽差頭等全權大臣太子太傅文華殿大學士北洋大臣直隸總督一等肅毅伯李鴻章欽差全權大臣二品頂戴前出使大臣李經方ハ媾和條約ヲ締結シタルヲ以テ穩カニ該條約ノ批准ヲ交換スルコトヲ得ル爲メ左ノ個條ニ同意シ之ニ記名調印スルモノナリ

第一條

明治二十八年三月三十日即光緒二十一年三月五日ニ締結シタル休戦定約ハ本日ヨリ二十一日間延期スヘシ

第二條

本約ヲ以テ延期シタル休戦ハ双方ヨリノ通知ヲ要セズ明治二十八年五月八日即光緒二十一年四月十四日ノ夜半ニ於テ終了スヘシ然レトモ夫迄ノ内ニ兩帝國ノ一方ニ於テ該媾和條約ヲ否決スルトキハ別ニ豫告ヲ用ヒス直チニ本約ヲ終了シタルモノト爲スヘシ

右証據トシテ兩帝國全權大臣ハ之ニ記名調印スルモノナリ

明治二十八年四月十七日即光緒二十一年三月二十三日下ノ關ニ於テ作ル

大日本帝國全權辦理大臣内閣總理大臣從二位勳一等伯爵伊藤博文(記名印)

大日本帝國全權辦理大臣外務大臣從二位勳一等子爵陸奥宗光(記名印)

MT

11257 01078

大清帝國欽差頭等全權大臣太子太傅文華殿大學士北洋大臣李鴻章(記名)  
大清帝國欽差全權大臣二品頂戴前出使大臣李經方(記名)印

MT 11257 01079

The undersigned, Count Ito Hirobumi, Junii, Grand Cross of the Imperial Order of Paulownia, Minister President of State, and Viscount Mutsu Munemitsu, Junii, First Class of the Imperial Order of the Sacred Treasure, Minister of State for Foreign Affairs, Plenipotentiaries of His Majesty the Emperor of Japan,

And Li Hung-Chang, Senior Tutor to the Heir Apparent; Senior Grand Secretary of State; Minister Superintendent of Trade for the Northern Ports of China; Viceroy of the Province of Chihli and Earl of the First Rank, and Li Ching-Fong, Ex-Minister of the Diplomatic Service, of the Second Official Rank, Plenipotentiaries of His Majesty the Emperor of China, having concluded a Treaty of Peace, have in order to provide for the peaceful exchange of the ratifications of said Treaty, agreed upon and signed the following Articles:

#### ARTICLE I.

The Convention of Armistice concluded on the 30th day of the 3rd month of the 28th year of Meiji, corresponding to the 5th day of the 3rd month of the 21st year of Kiang Hsi, is prolonged for the period of 21 days from this date.

#### ARTICLE II.

The Armistice which is prolonged by this Convention, shall terminate, without notice on either side, at midnight on the 5th day of the 5th month of the 28th year of Meiji, corresponding to the 14th day of the 4th month of the 21st year of Kiang Hsi. The rejection in the meantime, however, of the said Treaty of Peace, by either High Contracting Party, shall have the effect of at once terminating this Armistice without previous notice.

In witness whereof the Plenipotentiaries of Japan and China have hereto set their hands and affixed their seals.

Done at Shinonoseki, this 17th day of the 4th month of the 28th year of Meiji, corresponding to the 23rd day of the 3rd month of the 21st year of Kiang Hsi.

COUNT ITO HIROBUMI. [L.S.]

*Junii, Grand Cross of the Imperial Order of Paulownia,  
Minister President of State, Plenipotentiary of  
His Majesty the Emperor of Japan.*

VISCOUNT MUTSU MUNEMITSU. [L.S.]

*Junii, First Class of the Imperial Order of the Sacred  
Treasure, Minister of State for Foreign  
Affairs, Plenipotentiary of His Majesty  
the Emperor of Japan.*

LI HUNG-CHANG. [L.S.]

*Plenipotentiary of His Majesty the Emperor of China;  
Senior Tutor to the Heir Apparent; Senior Grand  
Secretary of State; Minister Superintendent  
of Trade for the Northern Ports of China;  
Viceroy of the Province of Chihli  
and Earl of the First Rank.*

LI CHING-FONG.

*Plenipotentiary of His Majesty the Emperor of China;  
Ex-Minister of the Diplomatic Service,  
of the Second Official Rank.*

MT 11257 91080

0189

REEL No. 1-0074

In witness whereof the Plenipotentiaries of Japan and China have herunto set their hands and affixed their seals.

Done at Shinonoseki, Japan, this 30th day of the 3rd month of the 28th year of Meiji corresponding to the 5th day of the 3rd month of the 21th year of Kuang Hsu.

COUNT HIROBUMI ITO [L.S.]  
*Junii, Grand Cross of the Imperial Order of Paulownia,  
Minister President of State, Plenipotentiary of  
His Majesty the Emperor of Japan.*

VISCOUNT MUTSU MUNEMITSU [L.S.]  
*Junii, First Class of the Imperial Order of the Sacred  
Treasure, Minister of State for Foreign  
Affairs, Plenipotentiary of His Majesty  
the Emperor of Japan.*

LI HUNG-CHANG [L.S.]  
*Plenipotentiary of His Majesty the Emperor of China;  
Senior Tutor to the Heir Apparent; Senior Grand  
Secretary of State; Minister Superintendent  
of Trade for the Northern Ports of China;  
Viceroy of the Province of Chihli  
and Earl of the First Rank.*

MT 11257 01081

0190

REEL No. 1-0074

His Majesty the Emperor of Japan, having, in view of the untoward event which temporarily interrupted the depending negotiations for peace, commanded His Plenipotentiaries to consent to a temporary armistice:

The undersigned Count Ito Hirobumi, Junii, Grand Cross of the Imperial Order of Paulownia, Minister President of State and Viscount Matsun Munemitsu, Junii, First Class of the Imperial Order of the Sacred Treasury, Minister of State for Foreign Affairs, the Plenipotentiaries of His Majesty the Emperor of Japan; and Li Hung-Chang, Plenipotentiary of His Majesty the Emperor of China; Senior Tutor to the Heir Apparent; Senior Grand Secretary of State; Minister Superintendent of Trade for the Northern Ports of China; Viceroy of the Province of Chihli and Earl of the First Rank, have concluded the following Convention of Armistice:

#### ARTICLE I.

The Imperial Governments of Japan and China agree to enforce an Armistice between their respective Military and Naval Forces, in the Provinces of Feng-tien, Chihli and Shan-Tung subject to the provisions contained in the following Articles:

#### ARTICLE II.

The Forces affected by this Armistice shall have the right to maintain the positions respectively occupied by them at the time hostilities are actually suspended, but they shall not under any circumstances during the existence of this Armistice advance beyond such positions.

#### ARTICLE III.

The two Governments engage during the existence of this Convention not to extend, perfect or advance their attacking works or to reinforce or in anywise to strengthen either for offensive or defensive operations, their confronting military lines. But this engagement shall not prevent either Government from making any new distribution or arrangement of troops not intended to augment or strengthen the armies now actually in the field and engaged in active military operations.

#### ARTICLE IV.

The movement of troops, and the transportation of military supplies and all other contraband of war by sea shall be subject to the ordinary rules of war and shall consequently be liable to hostile capture.

#### ARTICLE V.

This Armistice shall be enforced by the Imperial Governments of Japan and China for the period of 21 days from the date of the signature of this Convention.

In those localities occupied by the troops of the two Governments to which there is no telegraphic communication the quickest possible means shall be employed in issuing the orders for the Armistice and the respective Commanders of the two countries shall upon the receipt of such orders announce the fact to each other and take steps to enforce the Armistice.

#### ARTICLE VI.

This Armistice shall terminate without notice on either side, at mid-day on the 20th day of the 4th month of the 28th year of Meiji, corresponding to the 20th day of the 3rd month of the 21st year of Kuang Hsi. If in the meantime the depending negotiations for peace are broken off, this Armistice shall in that case terminate at the same time such negotiations cease.

MT 11257 01082

## SEPARATE ARTICLES.

### ARTICLE I.

The Japanese Military Forces which are, under Article VIII of the Treaty of Peace signed this day, to temporarily occupy Wei-hai-wei, shall not exceed one Brigade and from the date of the exchange of the ratifications of the said Treaty of Peace, China shall pay annually, one-fourth of the amount of the expenses of such temporary occupation that is to say, at the rate of 500,000 Keping Taels per annum.

### ARTICLE II.

The territory temporarily occupied at Wei-hai-wei shall comprise the Island of Lin Kung and a belt of land 5 Japanese Ri wide along the entire coast line of the Bay of Wei-hai-wei.

No Chinese Troops shall be permitted to approach or occupy any places within a zone 5 Japanese Ri wide beyond the boundaries of the occupied territory.

### ARTICLE III.

The Civil Administration of the occupied territory shall remain in the hands of the Chinese Authorities. But such Authorities shall at all times be obliged to conform to the orders which the Commander of the Japanese Army of occupation may deem it necessary to give in the interest of the health, maintenance, safety, distribution or discipline of the Troops.

All military offences committed within the occupied territory shall be subject to the jurisdiction of the Japanese Military Authorities.

The foregoing Separate Articles shall have the same force, value and effect as if they had been word for word inserted in the Treaty of Peace signed this day.

In witness whereof the respective Plenipotentiaries have signed the same and have affixed thereto the seal of their arms.

Done at Shimonoetsu, in duplicate, this 17th day of the 4th month of the 28th year of Meiji, corresponding to the 23rd day of the 3rd month of the 21st year of Kwang Hsi.

COUNT ITO HIROBUMI. [L.S.]

*Junii, Grand Cross of the Imperial Order of Paulownia,  
Minister President of State, Plenipotentiary of  
His Majesty the Emperor of Japan.*

VISCOUNT MUJISU MUNENITSU. [L.S.]

*Junii, First Class of the Imperial Order of the Sacred  
Treasure, Minister of State for Foreign  
Affairs, Plenipotentiary of His Majesty  
the Emperor of Japan.*

LI HUNG-CHANG. [L.S.]

*Plenipotentiary of His Majesty the Emperor of China,  
Senior Tutor to the Heir Apparent, Senior Grand  
Secretary of State, Minister Superintendent  
of Trade for the Northern Ports of China;  
Viceroy of the Province of Chihli  
and Earl of the First Rank.*

LI CHING-FONG.

*Plenipotentiary of His Majesty the Emperor of China,  
Ex-Minister of the Diplomatic Service,  
of the Second Official Rank.*

MT

11257 01083