

明治三十年三月三十日接收

大日本帝國

大皇帝全權辦理大臣閣下。停戰條款現已畫押。本大臣甚願

811055

即將永遠和局事宜。從速開議。俾停戰期限未滿之先。和局已可成議。本大臣現因受傷靜養。中外名醫均以輕出為戒。是以一時不能躬往會議處所。如承

貴大臣體諒。擬請即將所擬和局要款。開具節略。送到本大臣。以便查覈。設如此辦法。

貴大臣未能遽以為然。本大臣擬於寓館內。布置會議處所。俾本大臣不至負傷外出受風。仍可與

貴大臣會議一切。為此本大臣專候

示復。以便照辦。或於本日下午。或於明日某點鐘均隨

貴大臣之便。專此奉布。並頌

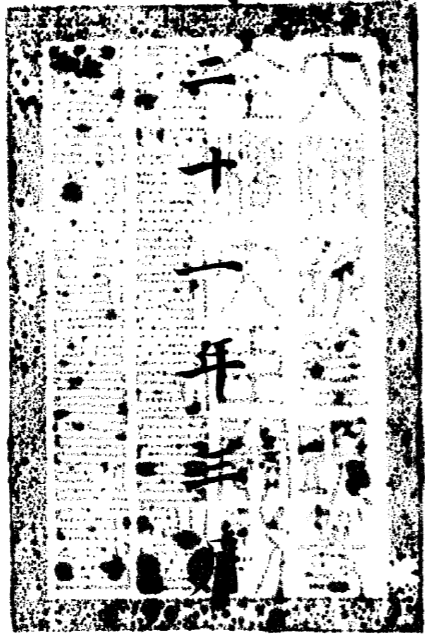
台祺。

光緒

二十一年

初五

日



大清帝國欽差頭等全權大臣李鴻章奏為洋通商大臣直隸總督等肅毅伯李鴻章

(17)

2-0065

0236

I shall be much pleased to arrange  
a place for our conferences in the  
building now occupied by me and  
where I can without undue expense  
meet and confer with your Excellencies.

I shall, accordingly, hold myself  
in readiness to receive the Communi-  
cation above indicated as arrange-  
ment for a visit from your Excellencies  
this afternoon, or at any hour  
which may be convenient to you  
hereafter.

I have the honor to render to  
your Excellencies the expression  
of my highest consideration.

Li Shung-chang (L. S.)  
Subsecretary Resident  
of the Legation  
The Emperor of China

Mitsunashi, March 30, 1895  
- Kwang Hui's 21<sup>st</sup> Year 3<sup>rd</sup> month 5<sup>th</sup> day.

811057

811056

*Their Excellencies  
The Representatives of His Majesty  
The Emperor of Japan.*

*Excellencies:*

*The Convention for an  
armistice having been signed,  
I am now convinced that we should  
proceed with the negotiations for a  
permanent peace as speedily as  
possible, so that our labors may be  
concluded before the expiration of the  
armistice.*

*Being to the utmost from which  
I can suffering, my physicians do  
not regard it as prudent that I  
should attempt for some days to  
come to go to the place of meeting  
provided for our conference; but if  
Your Excellencies see proper to do so  
I shall be greatly gratified if you  
could send to me in writing the  
conditions of peace. If that course  
is not agreeable to Your Excellencies,*

明治二十五年三月三十日接收

0238

媾和條約

大日本國皇帝陛下及大清國皇帝陛下兩國  
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  
シ大日本國皇帝陛下ハ……ハ大清國皇  
帝陛下ハ……ハ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状ヲ示シ其ノ  
良好妥當ナルヲ認メ以テ左ノ諸條欵ヲ協議決  
定セリ

第一條

外務省

清國ハ朝鮮國ノ完全無缺ト獨立自主ノ國スルコトヲ  
確認ス因テ右獨立自主ヲ損害スヘキ朝鮮國ヨリ  
清國ハ對スル貢獻典禮等ハ將來全之ヲ廢止ス  
ヘシ

第二條

清國ハ左記ノ土地ハ主權並ニ該地方ニ在ル僅墨  
兵器製造所及官有物ヲ永遠日本國ニ割與ス  
一、左ノ經界内ニ在ル盛京省南部ノ地

鴨綠江ヨリ該江ヲ溯リニ義子ニ至リニ義  
子ヨリ北方榆樹底下ニ至リテ直線ヲ畫

シ榆樹底下ヨリ正西ニ向テ直線ヲ畫シテ遼  
 河ニ達シ右直線ト遼河トノ交會點ヨリ  
 該河流ニ沿フテ下リ北緯四十一度ノ線ニ達シ  
 遼河上北緯四十一度ノ點ヨリ同緯度ニ沿テ  
 東經百二十二度ノ線ニ達シ北緯四十一度  
 遼東灣ノ北岸ニ至ル  
 遼東灣東岸及董海北岸ニ在テ盛京  
 省ニ屬スル諸島嶼

二、臺灣全島及其ノ附屬諸島嶼  
 外務省

三、澎湖列島即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

前條ニ掲載シテ附屬地圖ニ示ス所ノ經界線ハ本約  
 批准文牒後直チニ日清兩國ヨリ各三名以上ノ境界  
 共同劃定委員ヲ任命シ實地ニ就テ確定スル所  
 アルキモトス而シテ若本約ニ掲記スル所ノ境界  
 ニシテ地形上又ハ施政上點ニ付完全ナラサルニ於テ  
 ハ該境界劃定委員ハ之ヲ更ニスルコトニ任スヘシ

該境界劃定委員ハ成ルヘク速ニ其ノ任務ニ從事  
シ其ノ任命後一個年以内之ヲ終了スルシ  
但シ該境界劃定委員ニ於テ更定スル所アルニ當  
テ其ノ更定スル所ニ對シ日清兩國政府ニ於テ  
可認スル迄ハ本約ニ掲記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三億兩  
ヲ日本國へ支拂スヘキコトヲ約ス右金額ハ五回ニ  
分チ第一回ハ一億兩残り四回ハ各五千萬兩ヲ

外務省

支拂スル而シテ第一回ノ拂込ハ本約批准交換  
後六個月以内ニ於テスヘク残り四回ノ拂込ハ各  
其ノ前回ノ拂込ハキ期日ト同時若シ其ノ前ニ於  
テスヘシ又第一回拂込ノ期日ヨリ以後未ダ拂込  
了ラザ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

第五條

日本國へ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  
其ノ所有地ヲ賣却シテ退去スルコトヲ得ヘシ

其ノ為メ本約批准交換ノ日ヨリ二個年同ヲ猶豫  
スヘシ但シ右年限満テハ未ダ該地方ヲ去  
ラズ任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

第六條

日清兩國間一切ノ條約ノ文牒ノ為メ消滅シタルハ  
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  
通貿易ニ関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間ニ存在スル諸條約章

外務省

程ヲ以テ該日清兩國間諸條約ノ基礎トスヘシ又本約  
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スル

清國ハ右外左ノ讓與ヲ為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ノトス

第一、清國ニ於テ現ニ各外國ニ向テ開キ居ル各  
市港ノ外ニ日本國臣民ノ商業住居工業  
及製造業ノ為メ左ノ市港ヲ開クシ但シ現  
ニ清國ノ開市場開港場ニ行ハル所ト同一

條件ニ於テ同一ノ特典及便益ヲ享有スルモノトス

一、北京

二、湖北省荊州府沙市

三、湖南省長沙府湘潭縣

四、四川省重慶府

五、廣西省梧州府

六、江蘇省蘇州府

七、浙江省杭州府

日本國政府ハ以上列記スル所ノ市港中

外務省

何レノ處ニモ領事官ヲ置ク權利アルモノトス

芽ニ旅客及貨物運送ノ爲メ日本國海船航

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、楊子江ヨリ洞庭湖ニ入り湘江ヲ溯テ湘

潭ニ至ル

三、西江ノ下流廣東ヨリ梧州ニ至ル

四、上海ヨリ吳淞、浙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安定スル迄前  
記航路ニ關シ適用レ得キ限ハ外國船舶  
清國內地水路航行ニ關スル現行章程  
ヲ施行スル

第三日本國臣民カ清國ニ輸入スル貨品  
ニテ其ノ輸入者又ハ貨主ノ都合ニ依リ輸  
入ノ際又ハ其ノ後ニ該貨品原價百分ニ  
ノ抵代稅ヲ納メ又ハ清國各地方ニ於テ政  
府官吏ノ吏一私人会社若クハ何等施設ノ名  
義ヲ以テスルカ又ハ其ノ利益ノ為ニ課スル

外務省

一切ノ税金賦課金取立金ハ其ノ性質並ニ  
名義ノ如何ニ拘ラズ總テ免除セラハキモノ  
トス

日本國臣民カ清國ニ於テ購買スル清國  
貨品及生産物ニテ輸出ノ為メナルコトヲ言明  
シ又ハ總テ抵代稅ヲ納ムルコトヲ前記ノ  
場合ト同様ニ一切ノ税金賦課金取立金  
ヲ免除セラハシテ而シテ斯ル免除ハ右言明  
シ為セシ時ヲ實際輸出時迄有效ナル  
モノトス又清國ノ内地消費ニ供スル清國

貨品及生産物ヲ日本國船舶ヲ清國用  
 港間ニ運送スルニ一々現行沿海貿易稅  
 ヲ納メス上ニ前記ノ場合ト同様右運送中  
 輸出入稅ニ勿論其他一切ノ稅金ヲ免除セ  
 るべシ但此ノ規定ハ輸入阿片ノ課稅ニ関  
 シ其ノ時現ニ行ハル所ノ取極ニ何等ノ  
 影響ヲ及ホスコトナシ

第四、日本國臣民カ清國內地ニ於テ借貸  
 生産物ヲ購買シ又其輸入シテ商賣ス清國  
 内地へ運送スルニ右購買品又ハ運送品ヲ

外務省

倉入スル為メ何等ノ稅金取立金ヲモ納ムルコ  
 トナシ又清國官吏ノ干涉ヲ受ルコトナシ時  
 倉庫ヲ借入ルノ權利ヲ有スル

第五、日本國臣民カ清國ニ於テ納ル諸稅及手  
 數料ハ庫平銀ヲ以テスル而シテ右<sup>諸稅及</sup>手數料  
 ハ日本國本位銀貨ヲ以テ其ノ代表價  
 格ニ因リテ納金スルコトヲ得ヘシ

第六、日本國臣民ハ清國ニ於テ自由ニ各種ノ  
 製造業ニ従事スルコトヲ得ヘシ又所定ノ輸  
 入稅ヲ拂フノミテ自由ニ各種ノ器械類ヲ

清國へ輸入スルコトヲ得ヘシ

清國ニ於テハ日本國臣民ノ製造ニ係ル  
一切ノ貨品各種ノ内國運送税内地税  
賦課金取立金ニ関シ又清國內地ニ於  
テ倉入上ノ便宜ニ関シ日本國臣民カ  
清國へ輸入スル商品ト同一取扱ヲ受  
ケ且同一特典免除ヲ享有スルキモノト  
ス

第七、清國公使ニ専門家ノ説ヲ採用シ退潮  
ノ時タリトモ少モ二十呎丈ノ差支ナキ通

路ヲ絶ヘス維持ス様黃浦河ロニ在ル淤  
浅瀬ヲ取除クコトニ着手スルコトヲ約ス

此等ノ讓與ニ関シ更ニ章程ヲ規定スルコトヲ要ス  
場合ニ之ヲ本條ニ規定スル所ノ通商航海條約  
中ニ具載スルキモノトス

第七條

現ニ清國版圖内ニ在ル日本國軍隊撤回ハ  
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從フハキモノト  
ス

第八條

清國ハ本約ノ規定ヲ誠實ニ施行スルキ擔保トシテ日本國軍隊カ左記ノ各地ヲ一時占領スルコトヲ承諾ス

盛京省奉天府  
山東省威海衛

日本國ハ本約ノ規定シテ軍費賠償金ノ第一芽ニ  
ノニ回拂込ラリ了リタルトキニ於テ其ノ軍隊ヲ奉天府  
ヨリ撤回スルノ又該賠償金ノ最終回ノ拂込ラリ了リタル  
トキニ於テ其ノ軍隊ヲ威海衛ヨリ撤回スルニ然レトモ  
通商航海條約ノ批准交換ラリ了リタル後ニ此等ノ軍

隊ノ撤回ヲ行ハサシモト承知スヘシ

右一時占領ニ関ス諸費用ハ清國ニ於テ之ヲ支  
辨スヘシ

第九條

本約批准交換ノ上ニ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クハ處刑セシ  
ムヘキコトヲ約ス

日本國臣民ニシテ軍事上ノ同謀若クハ犯罪者  
ト認メラル者ハ清國ニ於テ直チニ解放スヘキコト

ヲ約シ清國ハ又交戦中日本軍隊ト種々ノ關係ヲ有シ  
ス清國臣民ニ對シ如何ニ處刑シモ為サス又之ヲ  
為サシメサハコトヲ約ス

第十條

本約批准交換ノ日ヨリ攻戦ヲ止息スヘシ

第十一條

本約ハ大日本國皇帝陛下及大清國皇帝陛下  
於テ批准セラルヘク而シテ右批准ハ明治二十八年  
月日即光緒 年 月 日ニ交換セラルヘシ  
右証據トシテ兩國全權大臣ニ記名調印ス

モノナリ

明治二十八年 月 日即光緒 年 月

日下ノ関ニ於テ二通ヲ作ス

大日本國皇帝陛下及大清國皇帝陛下為訂定  
 和約俾兩國及其臣民重修平和共享幸福且杜  
 絕將來紛紜之端大日本國皇帝陛下特簡、、、  
 、、、大清國  
 皇帝陛下特簡、、、為全權  
 大臣彼此較圖所奉諭旨認明均屬妥善無礙會  
 同議定各條款開列於左

外務

第二款

清國將管理下開地方之權併將該地方所有堡壘軍器工廠及一切屬公物件永遠讓與日本國

第一下開劃界以內之盛京省南部地方

從鴨綠江口起溯該江流以抵三叉子從此向迤北畫一直線抵榆樹底下從此向西畫一直線以抵遼河從該線與遼河文會之限起順該河流而下以抵北緯四十一度之線再從遼河上劃限起順此緯度以抵東經一百二十二度之線再從北緯四十一度東經一百

外務省

二十二度兩線交會之限順此徑度以至遼東灣北岸

在遼東灣東岸及黃海北岸屬盛京省諸島嶼

第二臺灣全島及所屬諸島嶼

第三澎湖列島即散在於東經一百一十九度起至一百二十度北緯二十三度起至二十四度之間諸島嶼

茅一欵

清國認明朝鮮國確為完全無缺之獨立自主  
故凡有虧損獨立自主體制即如該國向對清國  
所修貢獻典禮等嗣後全行廢絕

外務省



## 第三款

前款所載及粘附本約之地圖所劃疆界俟本約批准文換之後兩國應各選派官員二名以上為公同劃定疆界委員就地踏勘確定劃界若遇本約所訂疆界於地形或治理所固有礙難不便等情各該委員等當妥為差酌更定

各該委員等當從速辦理界務以期奉委之後限一年竣事但遇各該委員等有所更定劃界兩國政府未經認准以前應據本約所定劃界為正

外務

第四款

清國約將庫平銀三萬萬兩交日本國作為賠償  
軍費該賠款分為五次交完第一次交一萬萬兩嗣  
後每次交五千萬兩第一次應在本約批准交換後六  
個月之內交清所餘四次應與前次交付之期相同或  
於期前交付又第一次賠款交清後未經交完之款應按  
年加每百抽五之息

外務部

第五款

本約批准交換之後限二年之內日本國准清國讓  
與地方人民願遷居讓與地方之外者任便變賣所  
有田地退去界外但限滿之後尚未遷徙者酌宜視  
為日本國臣民

外務省

第六款

日清兩國所有約章因此次失和自屬廢絕清國約  
俟本約批准交換之後速派全權大臣與日本國所派  
全權大臣會同訂立通商行船章程及陸路通商章  
程其兩國新訂約章應以清國與泰西各國現行約  
章為本又本約批准交換之日起新訂約章未經實  
行之前所有日本國政府官吏臣民及商業工執  
行  
船隻陸路通商等與清國最為優待之國禮遇  
護視一律無異

外務省

清國約為下開讓與各款從兩國全權大臣畫押蓋

印日起六個月後方可照辦

第一現今清國已用通商口岸之外應准添設下開

各處立為通商口岸以便日本國臣民往來僑

寓從事商業工藝製作等所有添設口岸均

照向用通商海口或向內地鎮市章程一體

辦理應得優例及利益等亦當一律享受

一 直隸省順天府

二 湖北省荊州府沙市

三 湖南省長沙府湘潭縣

四 四川省重慶府

五 廣西者梧州府

六 江蘇者蘇州府

七 浙江省杭州府

日本國政府得派遣領事官前開各口駐紮

第二日 日本國輪船得駛入下開各口附搭行客裝運

貨物

一 從湖北省宜昌溯長江以至四川省重慶府

二 從長江駛進洞庭湖入湘江以至湘潭縣

三 從廣東省城溯西江以至梧州府

四 從上海駛進吳淞江及運河以至蘇州府杭州

府

日清兩國未經商定行船章程以前上開各口行船務依外國船隻駛入清國內地水路現行

章程照行

第三日 日本國臣民運進清國各口一切貨物隨辦運運賃之人若貨主之便於進口之時若運進之後按照貨物原價輸納每百抽二抵代稅所到地方勿論政府官員公舉委員私民公司及有何項設立之名目為何項利益有所課徵抽稅鈔課雜派一切諸費勿論其根

由名目若何均當豁除

日本國臣民在清國所購之經工貨件若自生之物一經聲明係為出口以至由口岸運出之時除勿庸輸納抵代稅外亦照前開所有抽稅鈔課雜派一切諸費均當豁除又日本國船隻裝載清國內地所需清國經工貨件若自生之物運取清國通商口岸一經輸納口岸通商稅鈔除勿庸輸納進出口稅外亦照前開所有抽稅鈔課雜派一切諸費均當豁除但逐時所訂洋藥進口章程其此欵所定者

不相涉

第四 日本國臣民在清國內地購買經工貨件若自生之物或將進口商貨運往內地之時暫暫行存棧除無庸輸納稅鈔派徵一切諸費外得暫借棧房存貨清國官員勿得從中干預

第五 日本國臣民在清國輸納稅鈔及規費可用庫平銀核算外亦得以日本國官鑄銀元照公定之價輸納

第六 日本國臣民得在清國任便從事各項工

藝製造又得將各項機器任便裝運進口止  
交所訂進口稅

日本國臣民在清國製造一切貨物其於內  
國運送稅內地稅鈔課雜派以及在清國  
內地沽及寄存棧房之益即照日本國臣  
民運進清國之貨物一體辦理至應享  
優例豁免亦莫不相同

第七清國約博採專門熟練者之說務速疏  
濬黃浦江口吳淞沙灘雖在落潮時亦須  
足二十幅深永勿任其阻塞

若遇上開讓典各節內有更須訂定章程者應  
於本欵所定通商行船約章內備細載明

第七款

日本國軍隊現駐清國境內者應於本約批准  
交換之後三個月內撤回但須照次款所定辦  
理

外務



第八款

清國為保明認真實行約內所訂條款聽允  
日本國軍隊暫行佔守下列各處

盛京省奉天府

山東省威海衛

日本國查收本約所定應賠軍費第一第二兩  
次之後撤回佔守奉天府軍隊並次賠款交完  
之後撤回佔守威海衛軍隊但通商行船約章  
未經批准交換以前日本國仍不撤回軍隊

外務省

第九款

本約批准交換之後兩國應將是時所有俘虜盡數交還清國約將由日本國所還俘虜並不加以虐待若或置於罪戾

清國約將認為軍事間諜或被嫌逮繫之日本國臣民即行釋放併約此次交仗之間所有關涉日本國軍隊之清國臣民概予寬貸並飭有司不得擅為逮繫

外務

第十款

本約批准文換日起應按兵息戰

外務省

2-0065

0262

第十一款

本約奉大日本國皇帝陛下及大清國皇帝陛下批准  
之後定於明治二十八年 月 日即光緒二十一年

月 日文換

為此兩國全權大臣署名 印以昭信守

明治二十八年 月 日即光緒二十一年 月 日於

下関繕寫二分

外務

payment of the first two instalments of the war indemnity herein stipulated for, and Wei hai wei shall be evacuated upon the payment of the final instalment of said indemnity. It is however expressly understood that no evacuation shall take place until after the exchange of the ratifications of the Treaty of Commerce and Navigation.

All expenses connected with this temporary occupation shall be defrayed by China.

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 furnish in any manner nor to allow to be furnished those Chinese subjects who have in any manner been compromi-

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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 . . . . . on the . . . . . day of the . . . . . month of the 28<sup>th</sup> year of Meiji corresponding to . . . . .

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

Done at Shimonozeki in Duplicate, this . . . . . day of the . . . . . month of the 28<sup>th</sup> year of Meiji corresponding to . . . . .

are payable by Japanese subjects in China and all such taxes, duties and fees may be paid in standard Japanese silver yen at their face or representative value.

6<sup>th</sup> Japanese subjects shall be free to engage in all kinds of manufacturing industries in 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.

7<sup>th</sup> China engages to at once proceed under the advice of experts to remove the Woosung bar at the mouth of the Hwang Ho River.

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such a manner as to maintain constantly a clear channel of at least twenty feet in depth at low water.

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 the following places:

Fongtien-Fu in the Province of Sheng King.

Wei hui wei in the Province of Sing King.

Tien-Fu shall be evacuated by Japan upon the

option of the importer or owner, of a commutation tax or duty of two per cent upon the original cost, shall hereafter in every part of China, be exempt from all taxes, imposts, duties, charges and exactions of whatever nature or under whatever denomination levied in the name or for the profit of the Government, public functionaries, private individuals, corporations or establishments of any kind. In like manner and to the same extent but without the payment of any commutation tax or duty whatever, an equal immunity from every kind of taxation shall be accorded by China in respect of all Chinese goods and produce purchased in China by Japanese subjects and declared to be for export, such immunity from taxation shall exist, from the date of such declaration up to the time of actual exportation. All Chinese goods and produce intended for home consumption, when conveyed in Japanese vessels from one open port to another open port in China,

811082

shall, upon the payment of the existing trade dues, existing at this time, be, in the same manner and to the same extent, exempt, during the whole process of such conveyance, from all kinds of taxation, including import and export duties. It is, however, understood that the foregoing stipulations do not in any wise affect any arrangement for the time being in force regarding the taxation of imported opium.

4<sup>th</sup> 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 and without the interference of any Chinese officials.

5<sup>th</sup> The kipping tael shall be taken to be the tael in which all taxes, duties and fees

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

1<sup>st</sup> The following cities, towns and ports, in addition to those already opened, are opened to the trade, residence, industries and manufactures of Japanese subjects, under the same conditions and <sup>with the same privileges and facilities</sup> exist at the present open cities, towns and ports of China:

1. Peking.
2. Shashih in the Province of Hupch.
3. Siangtan in the Province of Hunan.
4. Changking in the Province of Szechuen.
5. Wuchow in the Province of Kwangsi.
6. Suchow in the Province of Kiangsu.
7. Hangchow in the Province of Chekiang.

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

2<sup>d</sup> Steam navigation for vessels under the Japanese flag for the conveyance

passengers and cargo shall be extended to the following places:

1. On the Upper Yangtze River from Ichang to Chungking.
2. On the Siang River and the Lake Tung Ting from the Yangtze River to Siangtan.
3. On the West River from Canton to Wuchow.
4. On the Wosung 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.

3<sup>rd</sup> All goods imported into China by Japanese subjects, upon the payment, either at the time of entry or subsequently at the



each. The first instalment is to be paid within six months after the exchange of ratifications of this Act and the four remaining instalments are to be respectively paid on or before the same date of the four succeeding years. Interest at the rate of 5 per cent, per annum shall begin to run on all unpaid portions of the said indemnity, from the date the first instalment falls due.

#### 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.

811080

#### 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; industries; ships and subjects ~~and subjects~~ shall in every respect be accorded by China most favored nation treatment.

the Bay of Liao-Tung where it terminates.

This cession includes all Islands appertaining or belonging to the Province of Sheng-king situated in the eastern portion of the Bay of Liao-Tung and in the northern part of the Yellow Sea.

B) The Island of Formosa together with all Islands adjacent or belonging to the said Island of Formosa.

C) The Pescadore Group that is to say all Islands lying between the  $119^{\circ}$  and  $120^{\text{th}}$  longitudes east of Greenwich and the  $23^{\circ}$  and  $24^{\circ}$  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

811079

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.

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 alignment 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 300,000,000 taels. The said sum to be paid in five instalments; the first instalment being 100,000,000 taels and the four remaining instalments being 50,000,000

811078

Treaty of Peace.

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

and His Majesty the Emperor of China

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 Korea and in consequence the payment of tribute and the performance of ceremonies

formalities by Korea 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 Sheng-king within the following boundaries;

The line of demarcation begins at the mouth of the River Yalu, and ascends that stream as far as San-cha-Tsu, thence it runs directly north to U-shu-Ti-Hsia; thence it runs directly west until it strikes the River Liao; it follows from thence the course of that River southward to the  $41^{\circ}$  north latitude; from thence it coincides with that parallel of latitude to the westward as far as  $122^{\circ}$  longitude east of Greenwich and from that point of intersection it follows the same meridian of longitude southward to the sea.

明治二十八年四月一日井上外務書記官中由外務大臣秘書官命ヲ奉リテ李大臣ノ旅館ニ至リ媾和條約案  
ヲ漢英文各一通ヲ李大臣ニ面交シ先上特歸リテ所ノ領收証

811085

現於光緒二十一年三月初七日即明治二十八年四月

一日下午兩點鐘二十分收到

大日本帝國全權辦理大臣派員齎送和約條款稿本日本文

漢文英文各一分此據

大清帝國欽差頭等全權大臣太子太傅文華殿大學士北洋通商大臣李鴻章

初七日

2-0065

0271

明治二十六年四月一日陸奧大臣下李參議下會晤後彼等送り書簡

逕復者。頃李參議等回稱

811086

貴全權辦理大臣商允在四日以内回覆。或將約内各款全  
行承允。或將某款更行商酌等。因本大臣現雖受傷靜養  
而和約事宜關係重大。不得不力疾籌商。務望即刻將條  
約全本專員賚送。以便逐細查閱。或將各款承允。或將某  
款更行商酌。即於本日某點鐘接到後。於四日內某點鐘  
回覆可也。此頌

日佳

(18)

2-0065

0272

811087

光緒

二十一年

初七

日



大清帝國欽差頭等全權大臣

太子太傅文華殿大學士北洋通商大臣直隸總督一等肅毅伯爵

李鴻章

2-0065

0273

811088

外 務 省

<p>二十八年四月一日午後五時</p>	<p>主 簿</p>	<p>了 関</p>	<p>井上公使</p>	<p>陸奥外務大臣</p>	<p>清國領事館ト該館出件ニ付テ後刻迄迄極</p>	<p>際要下ノ電信ヲ指出スル</p>														
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2-0065

0274

電

機密

Bakan April 1-1895 5-30 pm  
Received 11-5 pm

Hayashi From Nutsu  
Tokio Bakan

Have telegraphed abroad as follows:- We presented today conditions of peace to Chinese Plenipotentiary. Conditions are Korean independence, cession of Formosa and southern portion of Fengtien (奉天) province, indemnity three hundred million taels (300000000), new commercial treaty and commercial concession in interest of all countries equally. Watch carefully if China discloses conditions to the Government to which you are accredited. See what impression disclosure creates,

電受第一九六號

山崎

小

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and endeavor to ascertain what action if any <sup>contemplated either</sup> separately or by the Government to which you are accredited and report fully. For the present I think it is better for you to regard conditions as strictly confidential - but you may say negotiations have been resumed.

電受第

號

2-0065

0275



西ノ経ヲ在外各公使。

加藤。(直接)

井上 京城。

林 東京。

電送第

We presented today conditions of peace to Chinese Plenipotentiary. Conditions are independence of Korea, cession of Formosa and Southern portion of Fen-Yin (奉天) Province, indemnity Three hundred million taels (300,000,000) new commercial concessions in interest of all countries equally [井上公使ハ「此ノ旨ヲ限リ」] Watch carefully if China discloses conditions to the Government to which you are accredited. See what impression disclosure creates and endeavor to ascertain.

號

2. 811089

what action if necessary is contemplated either conjointly or separately by the Government to which you are accredited and report fully. For the present I think it better for you to regard conditions as strictly confidential but you may say negotiations have been resumed.

電送第

號

(To Hissi add) Inform all Legations except 在外各公使.  
(To Hayashi add at first) Have telegraphed abroad as follows:

Mutsu  
Shimonoseki sent. Ap. 1. 1895

5

811091

海官閣

電

古 務 外

電受第三九三號  
明治二十八年四月一日午後五時四十分着  
 本日横文電信にて御通知及ヒ置キタル  
 媾和條件ノ清國使節へ申し入レタルコト  
 付テハ此際右條件ヲ我邦ニ疑在スル  
 或ル外國之使へ申し聞ケル方得策ナルヤ  
 否ヤ本大臣ニ於テ未ダ決定セズ貴官ノ御  
 意見如何返電アリタシ

林外務次官

馬関 陸奥外務大臣

2-0065

0277

811092

明治 年 月 日 起  
同 年 月 日 終

主任

明治二十三年四月二日  
午後十時 發

手紙  
法務省書記官 林外務次官

外務大臣へ

媾和條件は北京邊より淺ルルニ於  
テ依テ英米露ノ三公使丈へ極

内容に知ラセル方可然ト存ス

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至急

外務省

電受第三九九號  
(明治二十八年四月三日午前十一時五分着)  
 唯今外務大臣ヨリ林次官ノ免職文  
 電信ヲ取及スビキニ付着次川崎書記  
 官宅ノ持参し直ニ翻譯ノ上林次  
 官方ニ送ル様申入ルビキ旨大臣ノ命  
 ナリ

馬淵

中田 秘書官

外務省  
 書記官

2-0065

0279

電送第

號

and it is impossible for Japan to be satisfied with less, and at the same time it is for best interests of both Japan and China to conclude peace now, and if they are left alone by themselves. There is every prospect that peace will be concluded soon because China is already powerless to continue war. 李鴻章 seems to avoid to inform foreign Powers of our demand for commercial concessions formulated in the interests of all countries equally because these concessions have been repeatedly demanded by powers and refused by China. I have secretly communicated alone to 在日本 英 高 佛 and also 李 公 使. and you will also com-

電送第

號

communicate conditions of peace and the foregoing fact to Government as strictly confidential and as if Government alone are taken into our confidence and you will defend our claims as occasion may arise. Report from time to time attitude of — Government.  
Nintou  
Sent Batou, Ap. 3, 1895.

(To Kurino add as follows:)  
In the same manner as before secretly try to let Secretary of State sound European attitude for you.



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1

25105-00  
125  
FJH

四月三日  
電送第

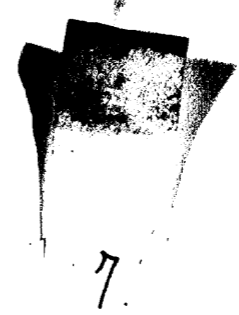
Kurino, Washington.
Rizzi, Petersburg.
Kato, London.
Loni, Paris.

號

It has been ascertained that China has communicated to England Russia and France our Conditions of Peace in hope of securing their intervention under false pretext that unless Japan waives her demand for cession of 奉天 and cut down amount of indemnity China has no alternative than to continue the war. But this is mere cunning device to enlist foreign support. In result of great victories, our terms are not in the least extravagant

2-0065

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寄

外 務 省

二十六年四月二十六日付

東京

三関

林外務大臣

陸外務大臣

清國政府ハ各外國ニ向テ若シ日本ヲ要求シ  
 大ナル軍ニハマテモ戦フ候ケンカヲシト云フニ  
 各國ノ(シムハツシ)ヲ博シ各國ノカシ後リ日本  
 要求シ威女セシメトス陰謀ヲ抱キ長クテ  
 然ル以テ事ハ世々今日外國公使等ヲ面会  
 ノ時決心得アズシ

2-0065

0282

政務局

次官

秘書

25708  
128  
122

811094

Bakan April 3 - 2.26 am

Received 5.50

電受第  
一九七號

Hayashi From Mutsumi  
Tokio Bakan

According to secret reading of telegram sent by 李鴻章 to Peking 四月一日, he suggested Chinese Government to secretly communicate conditions of peace to French English and Russian Ministers in Peking adding that unless Japan relinquish demand for cession of Kinsai and cut down amount of indemnity, the two countries have no other alternative than to continue war. Under the circumstances you will on to-morrow confidentially tell Russian English French and also American Ministers main points of

conditions of peace. It appears that 李鴻章 desires to avoid to tell to those three ministers of the privileges regarding commerce on the ground that those privileges have been hitherto demanded by the Governments of Europe and America. You will therefore specially inform those ministers fully of points regarding commercial privileges. If 在日露國公使 is not in Tokio, you will try to see him any how to-morrow on the subject.

電受第  
號

2-0065

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811098

省外

二十六年四月三

京華

井上公使

了

陸外務大臣

此程清軍復中名構和條件ハ最モ秘密  
トシテ其地ニ日本ノ新守海軍ヲ多  
ク投入スル事ヲ乞フ

2-0065

0284

811099

Mutsu,

Shimonosaki.

Pl. Central news telegram  
 from 上海 states that according  
 to advices from 北京 Japan  
 requires war indemnity of  
 \* 400,000,000 yen, cession  
 of Formosa and Southern Man-  
 chouria and it is believed  
 李鴻章 would break off nego-  
 tations rather than consent  
 to cession of Manchouria.  
 Times does not publish this  
 telegram and no comment  
 by others.

Kato.

London Ap. 2. 1895

Rid " 3. "

電送第

號

2-0065

0286

811100

外 務 省

二十八年四月四日午十二時

陸 軍 省

了 刺

陸軍省院議長

陸軍外務大臣

在美加藤公使より右電報あり其地内家

大臣報告より宣し海軍計り

英國中央通信社上海より電信傳へて曰

北京通信依り日本は債内債人年一還

及満洲の事、劉其の要求より李鴻章の

満洲の劉其の要求より李鴻章の不調

ニ帰せしむるにシテ新守の未だ電信

ありし何等の説を述べ表せ

2-0065

0287

9  
(7)

會  
訓

暗  
號

昂日一應ノ回至

電受第四〇三號  
(明治二十八年四月四日午前九時十分着)  
英・露・佛・米四ヶ國公使ハ最早内  
話相濟タルト、思フ獨逸ヲ一人  
置テハ他日若シ減シタル時不平  
口今極内密ニテ同公使、モ早ク内  
了リタル方宜マシカラシ

下ノつ美

陸奥大臣

林 次 友

2-0065

0288

10  
(389)

811101

省 發 外

二十八年四月廿九日

東京

林外務次官

多摩

陸軍外務大臣

今日各公使の滞面は、模様如何  
通高上ノ事、決シ限リ彼ノ在ル東京ノ各公使  
ニ送リ置ク一愈々確カト見出ス

2-0065

0289

811102

至意  
附號

明治 年 月 日 起  
同 年 月 日 發  
草 遣

主任

電話第三号  
明治六年四月四日  
午前二時 發

馬場

佐藤外務書記官

本外務次官

外務大臣へ

外國公使へ 昨日より順々之内務中既

面厚く蒙りたる公使に深き敬意を、厚意

ヲ謝せし御返公使へ、コト御来未、道小友

モ氣付存し、存今日内務院へ、委細尸

トヨリ

2-0065

0290

811103

明治 年 月 日 起  
年 月 日 發  
清

主任

電送第百八十八號  
明治二十九年四月四日  
外務省

馬場

佐藤外務書記長

林外務次官

暗號

外務大臣

夜二使の奉天省、南部の割、事、南

キ不快、顔色ヲ為セリ暗ニ其意ヲ叩キテ

外務

ルニ一人、意見トシテ此箇條ハ欧海各國

ノ感情ヲ害シ干渉ノ口実ヲ与ヘ且ツ日本政

治上、便否ヨリ云フモ不得策ナリト云ヘリ

英(或)露ノ使ハ其臺灣ノ中ニ「パスカドール」

モ入ルカト問ヘリ故ニ答ハ「ト答ヘ置ケリ其

大臣、辱言ヲ謝セリ

2-0065

0291

811104

Muster

Bakan

174 It is no longer in my power to keep the question of armistice secret as it has been communicated already to the armies but the conditions of peace will be kept of course ——— confidential has Chinese Plenipotentiary made a reply to the proposal. Inform me of the progress of the wound of 李正章

Inouye

Fusan April 4 1951 11.32 a.m.

Received " " " 1.40 p.m.

2-0065

0292



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外務省

二十八年四月四日	京城	井上公使	馬蘭	陸奥外務大臣	休戦事無二論ニ秘密ニスルニ及ハズ惟々彼 條件ハ充分ニ秘密ニシテ之ヲ清國使節ヨリ 未ダ回答ナシ本書此ハ日ニ快方ニ致ス
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2-0065

0293

811106

暗號

明治 年 月 日  
同 年 月 日  
起草  
發遣

主任

電送第二七九號  
明治六年四月四日  
午後二時六分發

馬場

佐藤外務書記官 林外務次官

外務大臣へ

通商上ノ特權トシテ漠然申シテハ外國公

使ニ深キ感ジラ與ヘサルニ依リ小官一己ノ考

トシテ三四ノ例ヲ奉ゲ内詔致シ置ケル

2-0065

0294

Nissi,

Petersburg.

在日本駐公使 hearing from 林  
 外務次官 of cession of southern  
 portion of 奉天省 appeared displeased.  
 He told 林 as his private opinion  
 that that demand would hurt  
 feeling of European Powers, give  
 pretext for intervention and that  
 it is an unwise demand for  
 the interests of Japan. This is  
 at variance with the tone of his  
 previous official declaration that  
 so long as Korean Independence  
 is left unimpaired, Russia would  
 not object to other demands of  
 Japan. You will always bear  
 that declaration in mind in  
 case dealing with Russian Govern-  
 ment. 在日本漢代公使 con-  
 fidentially told 林 四月 十四 that

電送第

號

2.

811107

Wilm, secretary of the Russian Legation  
 said Japan shall not get an inch  
 of territory as condition of peace.  
 Yokohama papers were published  
 as extract from Russian news-  
 papers that if Japan wants to  
 obtain territory on mainland  
 she must be prepared to face  
 Russia as her enemy. Telegraph  
 if it was true that such statement  
 has appeared in Russian papers.

Multon

Sent Bakau Apr. 4. 1895.

電送第

號

2-0065

0295

官

時 意  
時 意

電受第四の五號 庚申四月留

午後六時半迄  
午後八時半迄

通商上ノ利益ニ関シ我ヨリナセシ要求ハ右左

一、開市場開港場ヲ増スコト

二、漁船ノ航路ヲ擴張スルコト

（以上ノ二件ハ山村ノ意見ニ付シテ修訂ヲ加ヘタルモノナリ）

三、清國ヘノ輸出品ハ原價百分二ノテイタイ税

（コムミニエウテリシヨシタウクス）ヲ納メタル上ハ他ノ

税金ヲ免除スルコト

四、清國品ヲ輸出スルニハテイタイ税及ヒ其他ノ税

金ヲ免除スルコト

五、清國內地用ニ供スヘキ清國品ヲ日本船泊ニテ

清國開港場向ニ運送スルニハ現行沿海貿易

易後ヲ納メタル上ハ右運送中輸出入税ハ

勿論免テ、税金ヲ免除スルコト

六、清國內地ニ於テ購買セシ品及ヒ清國ニ輸入

シ其内地ヘ運送スル品ヲ倉入スル為ニ何等

ノ税金ヲ納メス倉庫ヲ借入ルコト

七、清國ニテ各種ノ製造業ニ從事スルコト

及ビ輸入税ヲ拂フノミニテ各種ノ器械類

ヲ清國ヘ輸入スルコト

八、日本人ガ清國ニテノ製造品ハ税金ノ免除

及ビ倉入等ノコトニツキ（一）輸入品ト同様

ノ取扱ヲ受ケルコト

九、ウムソンノ汽船ヲサラヘルコト

811109

猶<sup>ホ</sup>詳細ハ昨日郵送<sup>セ</sup>置<sup>キ</sup>ル書面ニテ御  
承知アリタシ

馬<sup>ノ</sup>刺

陸奥外務大臣

林外務次官

外務省

2-0065

0297

811110

2.

Wuchow, (d) on Woosung River and the canal from Shanghai to Suchow and Hengchow.

3. Japanese imports into China upon payment of commutation tax of 2 per cent. on original cost, shall be exempted from all taxes in any part of China. No taxes to be levied upon goods purchased for export by Japanese in China until the time of actual exportation. No taxes to be levied upon all Chinese goods for home consumption carried to and from open ports of China by Japanese vessels except coasting trade dues.

4. Japanese free to engage in all manufacturing industries in China and to import into China all machinery paying only stipulated

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3.

imports duties. All articles manufactured by Japanese in China to receive the same treatment and have same facilities and privileges as merchandise imported into China by Japanese.

5. China to proceed at once to remove Woosung bar to keep clear channel at least 20 feet deep at low water?

You are instructed to paraphrase above and impart confidentially to British Government and publish in London newspapers without giving any appearance that the information has been furnished by you.

Multon  
Shimonoseki, Sent. April 4, 1895.

電送第 號

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0298

月四馬関  
電送第

號

Kato,

London.

Main points of our demands  
for commercial concession  
embodied in Treaty of Peace and  
in which all powers equally interested  
by virtue of most favored nation  
clause as follows:

1. 北京 沙市 Shashi 湘潭 Siantan  
重慶 Chungking, 梧州 Wuchow, 蕪州  
Suchow 杭州 Hangchow to be newly  
opened in addition to and in  
same manner as present open  
cities towns and ports.

2. Steamers for passengers and  
cargo to go (a) on upper Yangtze  
River from 宜昌 Ichang to Chung  
King (b) on Shiang River 湘江 and  
lake 洞庭 Jungting from the  
Yangtze River to Shanghai (c) On  
西江 West River from Canton to

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0299

四月五日馬關發

電送第 號

811111

Nishi,

Petersburg.

在英公使。As soon as my telegram of 四月四日 regarding commercial concessions is published in London newspapers inform me of it and at the same time send their copies to all Legations in Europe and America.

Mutsu

Bakan. Sent. Ap. 5. 1895.

2-0065

0300



青島電報

電送第

號

Nishi,

Petersburg.

在 17 年 11 月

在 18 年 2 月

You may now confidentially  
communicate to Government  
to which you are accredited  
our conditions of Peace.

Mutau

Sent. Bakau Ap. 5. 1895.

2-0065

0301

impossible for us to accept any-  
thing less, I am afraid if Chinese  
Government do not accept the  
same in hope of support by other  
powers, war will not come soon  
to end - then the minister observed  
that as Russia has continued  
on good terms both with China  
and Japan, she has nothing but  
the hope that present war will be  
concluded as soon as possible  
and that he will show our con-  
ditions to the Emperor. Concerning  
information yesterday given by  
British Ambassador, he said  
that he was told England will  
likely not make any objection  
to our claim of Formosa but  
on my answer to his inquiry  
that in my opinion Pescadore islands

電受第  
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811113

would be included in our claim  
as in Formosa there is no good  
station for vessels safe from the  
storm, he stated that he is not  
certain whether France will remain  
in silence thereto as she is  
much interested in the same  
quarter. On the whole, I noticed  
today a better impression with  
Russian Minister for Foreign  
affairs.

電受第  
號

2-0065

0302



811112

Petersburg April 4 - 1895 10-30 pm

Received - 5 -

Mutsu From Nishi  
Tokio Petersburg

電受第  
二  
〇  
四  
號

72<sup>15</sup> - I communicated confidentially  
our conditions of peace to Russian  
Minister for Foreign Affairs, express-  
ing at the same time contents of  
your last telegram. On his question  
what part is meant by southern  
Fengtien province, I said my  
opinion that it should be peninsula  
of 金州, showing it on a map.  
Cession of territory on the main-  
land, said he, will necessarily  
be painful for China - so I defended  
our claim to be reasonable as well  
as moderate and added that  
as it is our final decision and

170

山崎

四月六日午前馬岡轉電事

小村

二十一  
号

2-0065

0303

明治二十六年四月五日廷方之ヲ齋ニ奉中由被書下交片以ニ全權辦理大臣特

大清帝國

大皇帝欽差頭等全權大臣覆

大日本帝國

811114

大皇帝全權辦理大臣所擬和約底稿說帖

承

示約稿限四日內作覆當經力疾逐細查閱其最有關繫之款尤為竭

力考究然終恐受傷之後精神尚未復原本大臣實恐無以上對

朝廷倚昇之重設此說帖內回覆之語有不周不備之處實因傷疾未愈

力不從心尚祈

貴大臣原諒數日之後必能一一詳復也今將約稿大意合為四大端

以免逐條應對之煩所謂四端者即一朝鮮自主二讓地三兵費四

通商權利

15

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0304

811115

一朝鮮自主

中國已於數月之前聲明欲認保朝鮮為完全無缺之獨立自主局  
外之國此次立約自應載入惟日本亦須照認日本所擬約文自應

酌改

2-0065

0305

## 二讓地

查日本所擬講和條約序文內有訂定和約俾兩國及其臣民杜絕將來紛紜之端等語是第二款內自應照此辦理今查擬請所讓之地如果勒令中國照辦不但不能杜絕爭端且必令日後兩國爭端紛紛而起兩國子子孫孫皆成仇敵傳之無窮矣我輩既為兩國全權大臣不能不為彼此臣民深謀遠慮自應立一永遠和好互相援助之約以保東方大局中日係緊鄰之國史冊文字藝事商務一一相同何必結此仇衅國家所有之地皆列代相傳數千年數百年無價之基業一旦令其割棄其臣民勢必飲恨含冤日思報復况奉天為我朝發祥之地其南邊各處如被日本得去以為訓練水陸各軍駐足之地隨時可以直搗京師凡在中國臣民覽此約文必曰日本取我祖宗之地以養水陸之兵為乘隙蹈瑕之計是欲與我為永遠之仇敵也且彼此邊界必多設礮臺多養水陸各軍以資防守所費不貲而兩國無賴之徒皆以彼此交界為逋逃藪藉端生事無所不為添出無數交涉案件日本與中國開戰之時令其公使布告各國曰我與中國打仗所爭者朝鮮自主而已非貪中國之土地

也日本如果不負初心自可與中國將此約稿第二款並以下所指各款酌量更改成為一永遠和好彼此援助之約屹然為亞洲東方第一長城不受歐洲各國之狎侮日本如不此之圖徒恃其一時兵力任情需索則中國臣民勢必當膽卧薪力籌報復東方兩國同室操戈不相援助適來外人之攘奪耳

## 三兵費

此次戰事中國並非首先開衅之人戰端已開之後中國亦並未侵佔日本土地論理似不當責令中國賠償兵費惟上年十月間我政府因戰爭不息因美使願出調停有允償兵費之說原為息事安民起見本年正月二十三日又由日本電致美國駐紮北京公使聲明如所定數目公道本大臣自當應允載入和約款內惟據日本聲稱此次戰事日本之意在於欲令朝鮮自主然中國於上年十月二十五日業經聲明願認朝鮮自主是縱使勒令中國賠償兵費亦只應算至中國聲明願認朝鮮自主之日而止過此不應多索且估定兵費數目亦應酌量中國財力能否勝任如中國財力實在短絀一時勒令立約畫押後來不能如數賠償日本必責中國以負約之罪兵端必因而復起現查日本所索兵費數目必非中國現在財力所能償現如將內地賦稅加增百姓必至相率為亂蓋國家屈志求和百姓已引為深恥如復橫征暴斂貧民豈能相安如將洋關之稅加增而現在未屆脩約之期各國何能應允且一時縱可脩約必待各國眾謀僉同方能開辦亦屬緩不濟急至商借洋債一節亦必以新關稅



款為質查西曆本年三月初一日江海關稅務司報稱因借洋債以  
 為戰餉西曆一千八百九十五年新關應認還洋債關平銀三百九  
 十三萬七千四百二十兩九十六年應認還六百二十八萬一千六  
 百二十兩九十七年應認還五百一十四萬二千二百三十八兩九  
 十八年應認還三百六十四萬四千五百一十六兩九十九年應認  
 還三百五十二萬七千五百四十六兩二十年之內應由新關認還  
 洋債七千八百零一萬七千一百零三兩此係西曆本年三月初一  
 日新關應行認還洋債之數自本年三月以後中國所借洋債尚不  
 在此數之內中國從前借款甚易利息亦輕自中日交兵以後洋商  
 居奇中國借債聲名大為減色洋債行息周年竟至七八釐半其六  
 釐之債為數不多且須折扣據殷實銀商云中日和局已定後中國  
 如擬借洋債不折不扣周年之息非六釐半至七釐不可自西曆一  
 千八百九十年至九十三年各新關所收正稅及子口半稅並洋藥釐金  
 拉算每年約得關平銀二千二百五十四萬八千一百五十兩中間六成  
 應撥歸各省督撫作為本省公用如將此款挪移作為賠償兵費之  
 用則各省公費必須另籌款項加賦添稅而百姓不願如借洋債以

償日本周年行息六釐半連本帶息限二十年還清必須關平銀六百九十兆如此鉅款豈中國所能賠償且和局已成之後中國必須辦理善後事宜在在需款即如遣散兵勇皆成游手搶劫生事國家自必設法彈壓且內地百姓不以國家之屈志求和為然亦必憤而思亂國家辦事必更棘手不但新添之稅難收且恐原有之稅旋失故必仿用西法訓練陸兵造船簡器重整海軍方可以自保其利權夫練兵造船二事非有鉅款可指何從措手如中國一面須賠兵費一面須練陸軍海軍何能有此財力至中國擬辦內地一切興利便民之事更無論矣故非請日本將擬索兵費之數大加刪減不可且日本所索賠款既名為兵費似即指此次用兵之費而言其迄今所費詳細數目未覩官中簿籍雖非外人所能周知然較之日本所索之數恐不及其半日本新報班班可考似可得其兵費大概之數如稍有錯誤應請

貴大臣代為更正查兵端未開之先日本大藏省計存現洋三十兆元中間計用多少作為兵費外人雖未確知今姑將全數作為兵費而論迨兵端既開日本復借國債洋一百五十兆元作為兵費西曆本年二月二十日日本首相伯爵伊藤於廣島和

議不成之後回至東京在下議政院宣言曰照戰後現在情形而論不知和議何時能成從前所籌兵費恐因日後戰事不休必將告罄是以不得不請諸公預先籌及等語據此而言是第一次國債洋一百五十兆元當時尚未用盡非至戰事不休一時無從告罄且日本字新報內稱新籌之款現在並無用處須待至西歷本年六七月間方需此款首相伊藤乘議院未散之先令其預籌並非一時急用也等語西歷本年二月二十三日東京英字新報云第一次國債洋一百五十兆元中有五十兆元股票尚未銷售其八十兆元股票雖經售出而銀洋究未收齊等語此外尚有民間報効之款如大藏省存款所借國債等項統共合算日本與中國用兵所費迄今似必不能過一百五十兆元之數且日本此次用兵既已得勝所得中國兵船軍械軍需折價為數甚鉅自應從擬賠兵費中劃出扣除且限年賠費復行計息更屬過重不公亦難照辦本款既鉅復以子母相權中國財力有限曷克勝此尚望

貴大臣詳細思之

## 四通商權利

此款專索通商權利情節極為繁重非一時所能遍加考覈以下所陳各節只照現時所見得及者而言隨後自應酌商增改惟望

貴

大臣覽此說帖便知此款中國既有可以照准之處亦即有必加更改之處方能照准也前此通商條約一經開戰即作罷論和局既成自應另立新約中國之意亦願以中國與各國現行之條約章程作為底本惟開端應將兩國優待彼此相同一句敘入第一條第二條應答之語現請暫緩作覆第三條擬將子口半稅減作值百抽二並擬將一切稅鈔豁除等語查子口半稅本係值百抽二五今將五數除去是每百兩除去五錢查日本此約擬向中國索賠兵費鉅款非中國現時財力所能勝任所有中國餉源不但不當令其壅塞且應為之代籌開源之法是議減稅不如議加稅矣且現在日本方與歐美各國修約加增稅則豈有令中國將本來甚輕之稅再行減輕之理至洋貨一經進口賣與華人之後尚欲令其免納一切稅鈔此為各國公使久在北京歷年要求而不得者蓋所請並無公道故也最保通商權利者莫如英國最善謀利者莫如英國之商人英商屢欲

德惠其公使以免釐為請。迄無成議者。以其短於理也。英國公使額  
 爾金帶兵進京。盤踞都城。以戰勝攻取自居氣餒甚大。要盟之下。何  
 求不得。而不肯以洋貨免釐為請。曰洋貨既入華人之手。英人何能  
 保其免納釐金。此理我所未解。是以不願為之代請。此語見一千八  
 百七十一年英國修定天津條約藍皮書第四百四十三頁。英國通  
 商部所以監理英國與各國通商之事者也。英國外部令其查覈此  
 事。亦云洋貨既入華人之手。尚欲令其免納釐金。英國國家不當為  
 其代請。查通商條約並無此款。內地土貨既應遇卡抽釐。洋貨何能  
 獨免。縱條約顯有此語。亦不可遵。何況並無此約。見以上藍皮書第  
 三百四十七頁。威妥瑪駐京充當英國公使甚久。人甚能幹。中國商  
 務極為熟悉。常謂釐金一稅與英國之進款稅相仿。外人何可挑剔。  
 國家所入不敷所出。自有隨時徵稅之權。旁人何可厚非。今若令各  
 省督撫將釐金除去。用費將從何出。如今中國商人領有洋人之護  
 照。便可在中國境內運貨縱橫無阻。其理更為不公。云云。見以上藍  
 皮書四百四十四頁。四百四十七頁。以上數公所陳之說。極為秉公  
 合理。想

貴

大臣見之亦必深以為然。自可將此款更改。祇令洋貨在洋商之手  
 時方行免釐。此係照最優待之國之約章辦理。日本亦應足意。第四  
 款所陳之事。無論是否公道。即以辦事謹慎而言。亦未見其得計。夫  
 洋商既非地方官所能管轄。而竟深入內地。暫行居住。距通商口岸  
 既遠。該國領事鞭長莫及。地方官更覺為難。從前英商亦以此事為  
 請。咸妥瑪告之曰。此事貪多務得。我萬不能准。洋商既不歸地方官  
 管轄。即不應請辦此事。如洋商聚集內地太多。勢將購地作為租界。  
 豈非又添枝節云云。見以上藍皮書第四百三十五頁四百四十九  
 頁。第六款所指之利益。係指機器進口。改造土貨而言。駐紮北京各  
 國公使久經議過。未邀准行。洋商在中國改造土貨。久有例禁。各國  
 以此係中國自主之權。亦即聽從中國。如准洋商在華改造土貨。勢  
 必盡奪小民生計。於華商所設製造廠所。極有妨礙。國家自不能不  
 出力保護。此事關係中國經久章程。各國公共之事。不能因一時戰  
 爭遽行更改也。至日本國臣民在華改造土貨。運入內地。免完稅課  
 一節。於向例既有歧異。即屬窒礙難行。如果中國以此等利益。准予  
 日本。各國皆援一體均霑之例。則華商之製造廠所。立即擠倒矣。第

八款未云。但通商行船約章未經批准交換以前日本國仍不撤回  
 軍隊等語此款既不公道。又屬過慮第六款內本有新訂約章未經  
 實行之前所有日本政府官吏臣民及商業工藝行船船隻等與清  
 國最為優待之國禮遇護視一律無異等語既有此款作保即不必  
 以不撤軍隊為詞。

以上各節係本大臣將

貴大臣交來和約底稿細加察閱之意見所限時日無多傷病又未平復本大臣今已力疾作復如此直言無隱似亦不能再求詳密至關繫稍輕之歎並未逐細作復者誠以四大端彼此意見如果相同其小節細目自可隨時相商本大臣尚有一言効其忠告惟

貴大臣怒而聽之本大臣回溯服官中外近五十年現在自顧晚景無多致

君澤民之事恐終於此次之和局所以極盼約章一切妥善毫無流弊兩國政府從此永固邦交民生從此互相親睦以副本大臣無窮之願望今和局將次議成兩國民生後來數世之造化命運皆在兩國全權大臣掌握之中故宜遵循天理以近今各國大臣深謀遠慮之心為師法而保兩國國民之利益福澤方能克盡全權大臣之職分日本現在國勢已甚強盛而人才眾多尤為方興未艾今日賠費數目或多或少今日思得兵力所到之地以增其幅幘或廣或狹皆屬無關緊要至於中日兩國官民日後或永遠和好或永遠讎仇則有關於日本之國計民生者甚大不可不深思而熟慮之也本大臣為中



國頭等全權大臣自能代中國決計與日本全權辦理大臣訂一周  
密完善永遠和睦之約章俾將來嫌隙無從而生衅端無從而起如  
此和局訂約者不但不遭後人之唾罵亦且與有光榮庶東方兩大  
國百姓日後永遠和睦彼此相安福澤綿長實基於此惟望  
貴大臣熟思而圖利之

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not by the negotiation now in  
hand her Plenipotentiaries make  
of the Chinese nation firm friends  
and allies or inveterate foes.  
As their representative I stand  
ready to join hands with Their  
Excellencies the Plenipotentiaries  
of Japan, in making such a  
peace as will leave no seeds of  
enmity to spring up and curse  
us in future generations, and such  
a peace as will bring honor to us  
and blessing and enduring  
friendship to the two great nations  
of the Orient.

Shimonoseki, April 5, 1895

- Kuang Hsi 21<sup>st</sup> year, 3<sup>rd</sup> month, 11<sup>th</sup> day.

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to reach such a conclusion of our negotiations as will bring lasting peace and friendship to the people and Governments which we represent.

We should listen to the voice of reason; we should be so controlled by the highest principles of statesmanship as to safeguard the interests and the future welfare of these two great peoples, whose destinies and happiness for many generations are now in our hands.

It matters little to Japan, in this time of her abounding prosperity and greatness and in the abundance of able men, whether she to-day receives a larger or smaller indemnity, or whether she enlarges her boundaries by the annexation of a greater or smaller portion of the territory now within the reach of her armies; but it is a matter of vast moment to her future greatness and the happiness of her people, whether or not

The foregoing embraces a review of all the important and essential provisions contained in the draft of Treaty submitted for my consideration, and to which I have made a frank and as complete a reply as has been possible under the circumstances. A few Articles of minor importance or of mere detail have not been noticed, but it is believed that if an accord should happily be reached on the four questions above discussed, the Articles not treated of may be arranged in due time.

I trust that I may be pardoned for saying that I have served my country for half a century, and it may be that I am nearing the end of my days. This Mission is probably the last important service I will be permitted to render my Sovereign and his subjects. It is my sincere desire and my highest ambition to

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*into manufactured goods would tend to destroy the livelihood of the Chinese and work a serious injury to native industries which it is the duty of the Government to protect. The regulation is one which has been in existence for many years and one which has been adopted by other nations, and should not now be abolished.*

*The provision inserted in the 6<sup>th</sup> Clause exempting all articles manufactured by Japanese in China from all internal taxation is most objectionable and unduly discriminating.*

*Besides, if these privileges are granted to Japanese subjects, they must necessarily be extended to all nations which have Treaties with China, and the ruin of the native industries would be swift and certain.*

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*The provisions contained in Article VIII, making the evacuation of the places named therein dependent upon the conclusion of the Treaty of Commerce provided for in Article VI, seems an unnecessary and unreasonable provision. By the terms of the latter Article Japan is at once guaranteed the most favored nation treatment, and thereby placed on an equality in respect to commerce with all competitors.*

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"to congregate<sup>17</sup> in any number  
in a Chinese town or suburb  
island, I shall be much  
mistaken if we do not soon  
find the necessity of a  
land concession forced  
upon us." (Ib. pp. 435 and 449).

The 6<sup>th</sup> Clause refers to the privilege  
of importing machinery into China  
to convert Chinese raw materials  
into manufactured goods, a question  
which has been much discussed  
with the diplomatic corps in Peking,  
and which has been settled against  
the privileges asked for in this Clause.

The prohibition of foreigners from  
engaging in China in manufacturing  
industries has been one of long  
standing and in which Foreign  
Governments have acquiesced, as a  
prohibition which properly belongs  
to the sovereignty and independence  
of a nation. To allow foreigners to  
enter and establish factories for  
converting the natural products  
into

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4<sup>th</sup> Clause that, laying aside for the present the consideration of the justice of this claim, its prudence may be seriously questioned.

To allow foreign merchants to temporarily establish themselves at great distances from the Treaty ports, beyond the protection and control of their Consuls, would seem to be inconsistent with the practice of extraterritoriality, and greatly embarrassing to the Chinese authorities. Sir Thomas Wade, in discussing a similar proposition presented by British merchants, said "I am decidedly

against any sweeping demand with reference to it. x x x

We are bound to ask nothing from her (China) except when we see our way to a fair provision for the control of the extraterritorialized foreigner."

And again, "if our merchants are to

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"to my Lords to justify such a sweeping demand, and in view of the internal taxation to which native goods are subject in China, it would be in their opinion both unjust and inexpedient to enforce such a demand, even if it were warranted by the terms of Treaty stipulations." (Ib. p. 347).

Sir Thomas Wade, so familiar with Chinese trade, and so long the able representative of Her Majesty's interests at Peking, said the hekin tax "is not in its nature more open to objection than our income tax, nor, indeed, to any extraordinary tax by which a State short of money may recruit its finances."

And again, referring to the abuse to which the privilege asked for in the 3<sup>rd</sup> Clause would give rise,  
he

he said "it is hard enough on the Provincial Governments that they must give up their tolls on goods that are foreign-owned; but it will be harder still if Chinese, armed with foreigners' certificates, are to carry Chinese-owned goods toll-free from one end of the Empire to the other." (Ib. pp. 444 and 447).

In view of these declarations, so well founded in justice and propriety, I feel sure the Japanese Plenipotentiaries will be willing to modify their proposition so as to secure the protection of imported goods only so long as they remain in the possession of the foreign owner. This will be secured by granting to Japan favored nation treatment, and Japan should be satisfied with that.

It may be remarked on the  
14<sup>th</sup>



British army to Peking and exacted from China after the occupation all the commercial privileges which he deemed just on the part of the victor, rejected the claim as now proposed, and said he did not see his way clear to further protection of imports against taxation once they have passed into the hands of a Chinese purchaser. (British Blue-book on Revision of Treaty of Tientsin, 1871, p. 443). The British Board of Trade, having official supervision of foreign commerce, examined this subject at the request of the British Office of Foreign Affairs, and decided that "to insure the sale of the (imported) goods to their ultimate consumer with no enhancement of cost derived from taxation \* \* \* \* is a view which cannot be entertained by Her Majesty's Government. There is nothing in the Treaty which appears to

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been stated respecting the Customs revenues, to agree to an increase of that Tariff. At the same time that Japan is negotiating with Foreign Powers to secure an increase of her own Tariff, it is hardly consistent to demand of China a reduction of ~~her~~ already low Tariff.

The effect or object of the 3<sup>rd</sup> Clause appears to be to exempt foreign goods from any dues or *hekin* tax whatever after they have passed out of the hands of the importer or foreign owner.

This is a subject which has been often considered with foreign diplomatic representatives at Peking, and the fairness of such a claim has never been shown. There is no Government which more jealously guards its commercial privileges than Great Britain, and ~~her~~ subjects engaged in the Chinese trade have often moved ~~her~~ ministers to secure relief from the *hekin* tax, but without success.

Lord Elgin, who accompanied the  
British

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4. Commercial privileges.

In the very brief time allowed for an examination and reply to the Treaty draft, it has not been possible to study fully the complex and detailed questions to which the commercial privileges and stipulations asked for give rise. The following must be taken as merely an expression of views, and full reservation is made to add to or correct them hereafter. It is hoped, however, that the following statement may aid the Japanese Plenipotentiaries in understanding some of the clauses to which China is disposed to agree and some respecting which modifications will be asked.

War having suspended the operation of the late commercial Treaty, a new agreement is recognized by China as necessary and she is ready to accept

accept the existing Treaties with Foreign Powers as the basis of negotiations; it will require, however, in due reciprocity that a stipulation be added to the introductory paragraph of the Article, granting favored nation treatment to China in Japan.

Reply is for the present reserved on the 1<sup>st</sup> and 2<sup>nd</sup> Clauses.

The 3<sup>rd</sup> Clause provides for the reduction of the Transit dues on Japanese imported goods to two per cent, or a practical decrease of one half of one per cent.; and it is proposed to abolish altogether the existing Transit dues on goods exported. When it is remembered that this same Treaty draft contains an Article demanding of China the payment of an indemnity beyond its present power to make, it seems most inappropriate to ask China to give up any of its existing sources of revenue. Rather ought Japan, in view of what has been

present time does not exceed <sup>811144</sup>  
150 million yen.

In estimating the war expenditures of Japan, it should not be forgotten that victory has given that country many valuable spoils of war, such as the captured naval vessels and the large amount of military material and supplies, which should fairly be deducted in fixing the gross amount of the indemnity.

To charge China with interest on the deferred payments of the indemnity is an onerous and unreasonable provision, and becomes doubly so when the enormous amount demanded is considered.

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"in June or July next, and the Government is said to have submitted it to the Diet, not because the money is in urgent need, but because the Diet is just now sitting" (See Asahi, quoted in the Yokohama Gazette, Feb 23<sup>rd</sup>);

and the following:

"of the first war loan there remains 50,000,000 yen to be raised, and of the 80,000,000 already floated a considerable sum has still to be paid up." (See Kokumin, as quoted in the Japan Mail of Feb. 23<sup>rd</sup>).

In addition, account is to be taken of some popular contributions.

But if these statements are to be accepted as approximately correct, it would seem reasonable to believe that the total money expenditure of Japan in the war up to the present

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exact amount of the war expenses of Japan up to the present time, but there are certain official and public data and statements which would seem to fix the limits within which that sum may be approximately estimated, and the Japanese Plenipotentiaries will be able to confirm or correct it. It is understood that there was in the public Treasury of Japan at the opening of the war about 30,000,000 yen. How much of this sum was used for war purposes is not known to the public, but it may be assumed that all of it was appropriated for that purpose. Soon after the opening of hostilities a war loan of 150,000,000 yen was authorized. According to the report in the public press of Japan, the Prime Minister, His Excellency Count Ito, made a speech in the Lower House of the Japanese Parliament on the 20<sup>th</sup> of February last,

in

in which after referring to the failure of negotiations at Hiroshima early in that month, he used this language: "From the subsequent state of the war and under the present circumstances it is difficult to tell when peace will be restored, and it is not improbable that the war fund may become insufficient."

He thereupon asked the Parliament to authorize an additional war loan to meet the emergency of a considerable prolongation of the war.

It seems fair to infer from this speech that the first war loan had not been exhausted and would not be unless the war was continued for some time. The Japanese vernacular newspapers, in referring to this speech and the action of the Parliament on the subject, stated that "the actual need of the fund will be sometime

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terms of peace when made known will cause the present dynasty and the Government to become unpopular with many of the Chinese people, and local discontent and disorder may be expected. Besides, there have been called into the field large numbers of raw and undisciplined troops, which with the conclusion of peace must be disbanded, and there is great danger that they will commit acts of robbery and lawlessness which it will seriously tax the Government to suppress. The energies of the Government will be tried to the utmost to preserve the peace, and without peace and order it will be impossible to raise even the usual revenues. It will, therefore, become necessary, in order to preserve internal tranquility, to organize and equip an army according to modern methods of warfare, and

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and to rebuild the Navy which has been practically destroyed by the war. These will require large and immediate expenditures of money, but it will be impossible to raise the money for these purposes if this heavy indemnity is to be paid. The Government is contemplating various reforms and improvements in the country, but all these will be paralyzed if Japan does not largely reduce her demand.

The indemnity is termed in the draft of proposed Treaty "a war indemnity," which it is supposed means an indemnity to pay the expenses incurred by Japan in the prosecution of the war. But if that is the case, I think the Japanese Plenipotentiaries must admit that the sum demanded is largely in excess of that amount. It is not possible for one not possessed of the official details to know the exact

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Customs revenues. It is to be noted that since March 1<sup>st</sup> the amount of these loans has been considerably increased.

The credit of the Chinese Government and its ability to negotiate a loan have been greatly injured by the war. It has been compelled to pay 7 and even 8½ per cent. interest, and the lowest rate it has obtained abroad, (and that for a small sum only), was 6 per cent. with a heavy discount on the face value of the bonds. It is claimed by prominent and experienced bankers that the best rate which can be obtained at the conclusion of peace is 6½ to 7 per cent. on the full value of the bonds.

The average annual total revenue received from Chinese customs, including duties, transit dues and opium letkin, from 1890 to 1893 inclusive, amounts to H. Taels 22,548,150; and of this sum it has heretofore been customary to pay over to the Provincial authorities

six

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six tenths. If this important sum of ready cash is diverted to pay the indemnity, new taxation will have to be imposed in the Provinces and the people would complain. If a foreign loan is sought to be made to meet the indemnity asked by Japan, it would require in principal and interest, at 6½ per cent., if redeemable in twenty years, the enormous sum of H. Taels 690,000,000., an amount entirely beyond the possibility of the Chinese Government to negotiate and beyond its ability to meet by taxation.

This will be apparent to any one at all acquainted with Chinese revenues, when it is remembered that the indemnity to Japan is not the only financial burden which has been brought upon China by the war, and which must be immediately provided for. As already mentioned, the

terms

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of Corea. On the 22<sup>nd</sup> day of November of last year it was announced to the Foreign Governments that China was ready to acknowledge the independence of Corea; and the expenses of the war beyond that time ought not to be included in the indemnity.

In requiring an indemnity of China it should not be fixed at a sum beyond her ability to pay it, as her failure to pay would be held by Japan to be a violation of the Treaty and might lead to a renewal of the war.

The amount demanded is beyond the ability of China to pay under the present system of taxation. To increase the internal or domestic taxes at this time would lead to great discontent and probably to insurrection, especially when added to the dissatisfaction of the people with the Emperor and his Government for making what they will style a humiliating and dishonorable peace. The Customs Tariff on Imports and Exports

cannot

cannot be increased, because of Treaties with Foreign Governments which require ten years' notice and the unanimous consent of the Governments concerned.

This latter source of revenue is the only available fund which can be hypothecated or pledged to bankers or capitalists in negotiating foreign loans. It is already so fully pledged for war loans that only a part of it can be made available for a loan to pay off the indemnity. From a statement prepared by the Commissioner of Foreign Customs at Shanghai, March 1<sup>st</sup> last, it appears that the Customs revenues of China were on that date pledged for the payment of war loans in 1895 of Haikwan Taels 3,937,420; in 1896 of H. Taels 6,281,620; in 1897 of H. Taels 5,142,238; and that upon these war loans it will be necessary within twenty years to pay H. Taels 78,017,103 out of the

Customs

in Europe and America declared that it was not the purpose of their Government to wage a war of conquest. If it should be consistent with these declarations, it is entirely possible to so modify Article II and other articles to be specified, as to make a lasting peace and one which will in the future make the two great peoples of the East sincere friends, and thus stand as an immovable bulwark against the encroachments of foreign nations. But if a peace is to be exacted by Japan through the successful fortunes of war, which will necessarily awaken in the Chinese people a spirit of hostility and revenge, it may well be anticipated that both nations, without any bond of sympathy or interest, will fall a prey to outside enemies.

### 3. Indemnity.

China does not think it is just to require her to pay an indemnity for the expenses of a war in which she does not regard herself as the aggressor, and during which she has not invaded Japanese territory; hence it seems illogical for China to pay an indemnity. But in view of the fact that my Government, desiring to bring the unfortunate war to a close, so as to relieve the people from suffering, in October last promised through the American Minister to pay indemnity, and in view of the further fact that an indemnity was one of the conditions mentioned among the terms announced by Japan, on the 17<sup>th</sup> of February last through the Minister of the United States in Peking, I am prepared to insert in the Treaty a provision for a reasonable indemnity.

In the first place, it is to be noted that Japan stated the object of the war was to secure the complete independence

of

of complications which may be transmitted through many generations.

It is the duty of the Plenipotentiaries of the two Governments, and it is a part of wise statesmanship, to negotiate such a peace as will make true friends and allies of these two great nations of the Orient, who are and must remain neighbors, and who have in common so many things in their History, Literature, Art and Commerce. Territory long held by a nation, through many centuries and dynasties, becomes a priceless heritage. Nothing will so arouse the indignation of the people of China and create in them a spirit of undying hostility and hatred, as to wrest from their country important portions of their territory.

This will be especially the case with that portion of territory described in Clause (a) of this Article, because it gives Japan a foot-hold and base for military and naval operations within easy reach of  
and

and constantly threatening the Capital of the Empire, and because it takes from the present dynasty of China a portion of its ancient possessions. In this Clause China hears Japan saying: I am going to be your ever-threatening and undying enemy, with my army and navy ready to pounce down upon your capital when it suits me; and I propose to humiliate your Emperor by taking from him a valuable portion of his ancestors' home.

It further means a line of fortifications along the whole co-terminous frontier, large standing armies and navies near at hand at great expense to both nations, and constant danger from frontier broils and from the lawless on both sides of the dividing line.

Japan, in inaugurating the war, announced its object to be to secure the complete independence of Korea, and her diplomatic ministers  
in

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for my country, I am now suffering.

If, therefore, this Memorandum should not be as complete as might be desired, I can only plead these causes in excuse, and trust that within a few days I shall be able to answer fully and specifically all the points desired by the Japanese Plenipotentiaries.

Without taking up every Article in detail, I have sought to group together my views under the four important questions involved in the negotiations and embraced in the draft of Treaty, to wit:

- 1<sup>st</sup> Korea;
- 2<sup>nd</sup> Cession of territory;
- 3<sup>rd</sup> Indemnity; and
- 4<sup>th</sup> Commercial privileges.

1. Korea.

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The Chinese Government some months ago indicated its willingness to recognize the full and complete independence and guarantee the complete neutrality of Korea, and is ready to insert such a stipulation in the Treaty; but in due reciprocity, such stipulation should likewise be made by Japan. Hence the Article will require to be modified in this respect.

2. Cession of Territory.

The preamble to the proposed draft of Treaty sets forth that the object of making it is "to remove all cause for future complications." But this Article, in place of promoting that object, contains provisions which, if insisted upon and enforced, will be the sure and fruitful source

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*Memorandum  
of the  
Ambassador Plenipotentiary  
of His Imperial Majesty  
The Emperor of China  
in reply to  
the Draft of Treaty proposed by  
the Plenipotentiaries of  
His Imperial Majesty  
The Emperor of Japan.*

*In the brief time agreed upon within which I was to make my examination and reply to the draft of Treaty proposed by Their Excellencies the Japanese Plenipotentiaries, I have given to the important subject the most earnest study and care which it has been possible to devote to it, in view of the physical disability under which, unfortunately for*

和條約案提出後彼等送付之實書英譯

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