ヨトヲ希望ス本國政府ハ深ク信ス貴國政府及國民ハ日支外交ヲ實施シ必ス能ク本國國民全體ノ意思ヲ察知シ貴等兩國間現在ノ障碍ヲ完全ニ除去シ之ヨリ兩國國民眞實ノ親善ヲ謀リ東亞ノ和平維持ト ナルヲ得ベ是レ惟ニ日支兩國ノ福ノミナラス東亞ノ幸ナリ本國外交部ハ右趣ヲ貴國駐支公使ニ告ケ接洽スルト同時ニ謹ミテ貴大臣ニ及照會致候間何卒代理公使ハ貴大臣ニ對シ特ニ敬意ヲ表シ候　敬具

中華民國十二年三月十日

中華民國代理公使　趙　恩　業

日本外務大臣伯爵　内田康哉閣下

TRANSLATION OF A NOTE FROM THE CHINESE CHARGÉ D'AFFAIRES IN TOKYO CONCERNING THE SINO-JAPANESE TREATIES AND NOTES OF 1915.

Chinese Legation,
Tokyo, March 10, 1923.

Monsieur le Ministre,

I have the honour to transmit the following to Your Excellency under instructions from my Government under date of March 4, 1923.

In view of the friendly relations existing between Japan and China and of the fact that the nations of the world are making for peace and are upholding the principles of justice, it is appropriate that Japan and China should endeavour to cultivate increased cordiality with a view to promoting the world's peace by safeguarding the peace of the Far East. In this connection it may be stated that the greatest obstacle in the way of cordial and friendly relations between Japan and China lies in the existence of the Sino-Japanese Treaties and Notes of May 25, 1915. At that time, the Chinese Government, after signing these treaties, issued a statement declaring that although China had been constrained to comply with the terms of the Japanese ultimatum, she disclaimed responsibility in case the treaty rights of other Powers were violated by these Sino-Japanese Treaties. Subsequently, at the Paris Peace Conference, the Chinese Delegation proposed the abrogation of the Treaties and the Notes exchanged between China and Japan, and the Chairman of the Conference, in reply, recognised the importance of the question. The proposal was renewed by the Chinese Delegates at the Washington Conference the following being given as reasons therefore: Firstly, no qui pro quo was given for the concessions; secondly, the Treaties and Notes are in violation of treaties between China and other Powers; thirdly, the

Treaties and Notes are inconsistent with the principles relating to China adopted by the Washington Conference; and fourthly, the Treaties and Notes have given rise to frequent misunderstandings between Japan and China. The Japanese Delegation, attaching importance to the Chinese proposition, declared that Japan would renounce her preferential rights regarding loans for the construction of railways in South Manchuria and Eastern Inner Mongolia and also regarding loans to be secured on taxes in those regions, as well as her preferential right concerning the engagement by China of Japanese advisers and instructors on political, financial, military and police matters in South Manchuria; and further that Japan would withdraw reservations with regard to Group V of the original proposals of the Japanese Government. However, the Chinese Delegates, after taking note of the claims given up by Japan and the reservations withdrawn by her, were not yet satisfied in other respects and reaffirmed that the Treaties and Notes should be abrogated in their entirety, and declared that China reserved the right to seek a solution of the matter on appropriate occasions in future. This reservation of the Chinese Delegation was duly noted by the delegates of other Powers, formally announced to the Conference in plenary session by the Chairman and placed on the records of the Conference.

The Treaties and Notes of 1915 have been consistently condemned by public opinion in China, and it was based on the wishes of the people that the Chinese Government brought forward at Paris and Washington proposals for the abrogation of the agreements in question. The Chinese Parliament in ordinary session in January, 1923, passed a resolution declaring the Sino-Japanese Treaties and Notes of 1915 null and void, and the Senate called on the Government to act accordingly. The foregoing facts are enough to show that the opinion of the Chinese people on the question has been unanimous throughout. The expiration of the term of the lease of Port Arthur and Dairen is near at hand, and the Chinese Government consider that the time is now ripe for improving Sino-Japanese relations, and declare that the Sino-Japanese Treaties and Notes of May 25, 1915, should forthwith be abrogated, except those clauses concerning which settlement has already been reached or regarding which the Japanese Government have either waived their claims, or withdrawn their reservations. The Japanese Government is hereby requested to appoint a day on which to discuss questions incidental to the restoration of Port Arthur and Dairen or consequent upon the abrogation of the Treaties and Notes in question. The Chinese Government firmly believe that the Government and people of Japan, realising the importance of Sino-Japanese friendship, will comply with the above-mentioned desire of the whole Chinese people, and thereby remove entirely the obstacle which has stood in the way of Sino-Japanese friendship and cordiality in recent years, to the end that real friendship may be promoted between the peoples of Japan and China and that the peace of the Far East may be

further strengthened, which would accrue not only to the happiness of the two nations but to the welfare of the world at large.

The Chinese Foreign Office, in presenting to Your Excellency this note a copy of which was simultaneously transmitted to His Imperial Majesty's Minister in Peking, beg that you will be good enough to make a reply thereto.

I avail myself of this occasion, etc.,

Liao En-Tao,

Chinese Chargé d'Affaires.

公電第七號

大正十二年四月十六日

石井「ランシング」交換公文廢棄方ニ關スル日米交換公文

大正六年十一月二日ノ石井「ランシング」交換公文廢棄方ニ關シ本年四月十四日在米帝國大使ト亞米利加合衆國國務卿トノ間ニ左ノ通公文ヲ交換セリ

左記

米國國務卿ヨリ日本大使宛公文

以書翰啓上候陳者千九百十七年十一月二日ノ「ランシング」石井交換公文ノ地位ニ關シ最近本官ト貴大使館トノ間ニ行ハレタル商議ニ依リ達成シタル見解ニ付キ本官ノ了解ヲ閣下ニ通報スルノ光榮ヲ有シ候

兩國政府ハ商議ノ結果見解ノ一致ヲ見タリ軍備制限ニ關スル華盛頓會議ニ依リ到達セラレタル

了解ニ鑑ミ亞米利加合衆國及日本國政府ハ千九百十七年十一月二日ノ「ランシング」石井交換公文ハ廢棄セラレ且今後效力ナキモノト看做スコトニ合意ス

本官ハ右合意ニ對シ閣下ノ確認ヲ得ムコトヲ希望致候

本官ハ茲ニ閣下ニ向フ敬意ヲ表シ候　敬具

千九百二十三年四月十四日

華盛頓國務省ニ於テ

チャールス・イー・ヒューズ

日本大使ヨリ米國國務卿宛公文

以書翰致啓上候陳者千九百十七年十一月二日ノ石井「ランシング」交換公文ノ地位ニ關シ最近閣下ト本大使館トノ間ニ行ハレタル商議ニ依リ達成シタル見解ニ付キ閣下ノ了解セラルル所ヲ本日附貴翰ヲ以テ御通報相成致敬承候

本使ハ茲ニ本國政府ノ訓令ニ基キ右達成セラレタル見解ニ付キ左ニ記載スル閣下ノ了解ヲ確認スルヲ得ル本使ハ欣幸トスル所ニ有之候

閣下政府ハ商議ノ結果見解ノ一致ヲ見タリ軍備制限ニ關スル華盛頓會議ニ依リ到達セラレタル了解ニ鑑ミ日本國及亞米利加合衆國政府ハ千九百十七年十一月二日ノ石井「ランシング」交換公文ハ廢棄セラレ且今後效力ナキモノト看做スコトニ合意ス

本使ハ茲ニ閣下ニ向フ敬意ヲ表シ候　敬具

千九百二十三年四月十四日

華盛頓日本帝國大使館ニ於テ

埴原正直

NOTES EXCHANGED BETWEEN JAPAN AND THE UNITED STATES CONCERNING THE ABOLITION OF THE ISHII-LANSING CORRESPONDENCE.

Foreign Office, Tokyo.

April 16, 1923.

With reference to the cancellation of the Ishii-Lansing notes exchanged under date November 2, 1917, the following notes were exchanged at Washington between

the Japanese Ambassador and the U. S. Secretary of State on April 14, 1923:—

FROM THE SECRETARY OF STATE TO THE JAPANESE AMBASSADOR.

Department of State,
Washington, April 14, 1923.

Excellency:

I have the honor to communicate to Your Excellency my understanding of the views developed by the discussions which I have recently had with your Embassy in reference to the status of the Lansing-Ishii exchange of notes of November 2, 1917.

The discussions between the two Governments have disclosed an identity of views and, in the light of the understandings arrived at by the Washington Conference on the Limitation of Armament, the American and Japanese Governments are agreed to consider the Lansing-Ishii correspondence of November 2, 1917, as cancelled and of no further force or effect.

I shall be glad to have your confirmation of the accord that is reached.

Accept, Excellency etc. etc. etc.

(Signed) CHARLES E. HUGHES.

FROM THE JAPANESE AMBASSADOR TO THE SECRETARY OF STATE.

Japanese Embassy,
Washington, April 14, 1923.

Sir:

I have the honor to acknowledge the receipt of your note of to-day's date, communicating to me your understanding of the views developed by the discussions which you have recently had with this Embassy in reference to the status of the Ishii-Lansing exchange of notes of November 2, 1917.

I am happy to be able to confirm to you, under instructions from my Government, your understanding of the views thus developed, as set forth in the following terms:—

The discussions between the two Governments have disclosed an identity of views and, in the light of the understandings arrived at by the Washington Conference on the Limitation of Armament, the Japanese and American Governments are agreed to consider the Ishii-Lansing correspondence of November 2, 1917, as cancelled and of no further force of effect.

Accept, Sir, etc. etc. etc.

(Signed) M. HANIHARA.

大正十二年度露領沿岸ニ於ケル漁業問題ニ關スル外務當局談

帝國政府ニ於テハ露領沿岸ニ於ケル漁業問題ニ付キテハ漁季ノ關係上日露間ニ存スル他ノ諸懸案ト切離シ成ルヘク速ニ露國當局ト圓滿ナル了解ヲ遂ケ以テ我當業者ノ從業ニ支障ヲ與ヘサラムコトヲ期シ之カ爲在浦潮帝國領事官竝我當業者代表ヲシテ露國當局ト交渉ヲ重ネシメ來レリ其ノ結果一面ニ於テハ我當業者ノ經營希望漁區二百六十八個所ニ付キテハ既ニ四月一日漁業廳ト我當業者代表トノ間ニ借區契約成立シ我代表ハ之ニ對シ所要ノ保證金トシテ本年度借區料ノ半額ニ相當スル金額ヲ供託セルノミナラス同借區料ノ他ノ半額ニ付キテハ露國側カ旅券査證等ノ案件ニ關シ我方ノ提議ヲモ考慮シ何等カノ便法ヲ設ケ以テ出漁ニ支障ヲ與ヘス且不當ノ課稅ヲナササル旨ノ保證ヲ與フルニ於テハ何時ニテモ當業者ヲシテ之カ納付ヲ完了セシムヘキ旨申入レ居レルニ拘ラス他面ニ於テ在浦潮莫斯科政府外交代表ハ旅券査證竝課稅問題ニ付キ今尙莫斯科政府ヨリ訓令未着ノ理由ノ下ニ出漁ヲ容認セサルノミナラス漁季ノ關係上便宜漁業廳ヨリ假出漁許可書ノ發給ヲ

受ケ且旅券査證等ノ手續省略方ニ付キ了解ヲ取付ケタル上沿海州西南區方面ニ出漁セル我當業者ニ對シ事實上從業ヲ不能ナラシメタルカ如キ事情ニ在リ右漁場方面ニ於ケル事故ニ關シ漁業應側ニ於テハ我方ノ要求ニ基キ關係地方官憲ニ電訓セル由ナルモ勘察加、「オホツク」方面ノ漁場ニ對シテハ未タ出漁ヲ容認セサルハ前述ノ通ナリ然ルニ此等漁場中ニハ遲クモ五月上旬迄ニ出漁スルニアラスンハ其ノ漁季ヲ失スルモノアル實情ナルニ鑑ミ帝國政府ニ於テハ此ノ際重ネテ浦潮露國當局ニ對シ莫斯科政府ヨリノ回訓督促方ヲ要求シタル上若シ萬一五月十二日マテニ旅券査證問題ニ付キ何等ノ了解成立スルニ至ラサル場合ハ漁季ノ關係上已ムヲ得サル事情ニ在ル者ニ對シテノミハ機宜ノ措置トシテ出漁セシムヘク其ノ他ノ者ニ對シテハ依然協定ノ成立ヲ俟タシムヘキ旨並協定成立ノ上ハ一般出漁船ヲシテ遲滯ナク所要ノ手續ヲ履マシムヘキ旨通告スルコトトセリ

斯ノ如ク帝國政府ニ於テハ飽クマテ穩健公正ノ態度ヲ執リ以テ漁業ヲ圓滿ニ經營セシメムコトヲ期待スルト共ニ本問題ノ爲對露全局ノ關係上遺憾ナル結果ヲ及ホサヽラムコトヲ切望シテ止マサルナリ

公表第九號　　大正十二年五月十六日

賠償問題ニ關スル獨逸公文ニ對スル帝國政府覺書

帝國政府ハ五月二日附覺書ヲ以テ獨逸國政府カ日本國亞米利加合衆國英吉利國佛蘭西國伊太利國及白耳義國ニ對シ賠償支拂ノ全般ニ亙リ爲シタル新提案ニ付キ最モ愼重ノ考査ヲ加ヘタリ

該提案ノ骨子タル賠償支拂計畫ハ其ノ總額ニ付キテモ其ノ支拂及保證ノ方法ニ付キテモ共ニ帝國政府ニ於テ直ニ之ニ贊同ノ意ヲ表スルコト能ハス帝國政府ハ本件ニ關スル實際上ノ利害カ他ノ聯合國ノ如ク緊切著大ナラサルニ顧ミ此ノ際該提案ノ內容ニ亙リ意見ヲ表明スルヲ避ケムト欲スルモ獨逸國政府カ公正ノ見地ニ據リ更ニ適當ノ方法ヲ講シ以テ賠償問題ノ迅速圓滿ナル解決ニ達スルノ端緒ヲ開カレムコトヲ望ミテ止マサルモノナリ

右覺書ハ五月十五日在伯林日置大使ヨリ獨逸國政府ニ又同日外務省ヨリ在東京獨逸大使ニ交付セラレタリ

THE MEMORANDUM SENT TO THE GERMAN GOVERNMENT BY THE JAPANESE GOVERNMENT IN REPLY TO THE FORMER'S NOTE CONCERNING THE REPARATIONS QUESTION.

The following memorandum was handed to the German Government by Ambassador Hioki on May 15, and to the German Ambassador in Tokyo by the Foreign Minister on the same day.

The Japanese Government have given the most careful consideration to the new proposal made by the German Government, in a Memorandum of May 2, 1923, to Japan, the United States, Great Britain, France, Italy and Belgium, covering the whole question involved in the payment of reparations.

The Japanese Government are unable, either in respect of the total amount of reparations or the method of their payment and guarantee, to give consent to the scheme of reparations payment which constitutes the main part of the above-mentioned proposal.

In view of the fact that Japan's actual interest in the present question is not so great and vital as that of the other allies addressed, the Japanese Government will refrain from expressing their opinion on the particulars of the new German proposal. They wish however to express their strong desire that the German Government will proceed to take proper steps with a view to facilitating a speedy and amicable settlement of the whole question of reparations on an equitable basis.

大正十二年度露領沿岸ニ於ケル漁業問題ニ關スル永井通商局長談

漁業問題最近ノ成行ニ付キテハ新聞紙上等ニテ諸種ノ報道傳ヘラレ居レル處我當局トシテハ曩ニ在浦潮波邊總領事代理ヲシテ露國關係當局ニ對シ本問題ニ關スル懸案ニ付キ五月十二日マテニ何等圓滿ナル了解成立スルニ至ラサル場合ニハ漁季ノ關係上已ムヲ得サル事情ニ在ル者ニ對シテノミハ機宜ノ措置トシテ出漁セシムヘク其ノ他ノ者ニ對シテハ依然協定ノ成立ヲ俟タシムヘキ旨並協定成立ノ上ハ一般出漁船ヲシテ遲滯ナク所要ノ手續ヲ履マシムヘキ旨ヲ通告セシメ且右通告ノ趣旨ニ關シ誤解無キヤウ篤ト說明セシメ置キタリ之ニ對シ同總領事代理ヨリノ來電ニ依レハ本月十日在浦潮莫斯科政府外交代表「パーウイン」氏ハ特ニ同總領事代理ヲ訪問ノ上莫斯科政府ニ於テハ漁業問題ノ圓滿解決ヲ切望スル本旨ニ鑑ミ旅券査證事務取扱者ハ不取敢目下日本ニ在ル「ヨッフエ」氏之ヲ選定スルコトニ決定シ此ノ旨「ヨ」氏ヘモ打電セル趣ヲ語リ且斯ノ結果懸案中ノ査證問題ハ解決スヘキニ依リ爾餘ノ課稅問題等ニ付キテハ引續キ商議ヲ重ヌルコトトシ先以テ我當

業者ニ於テ借區契約締結ノ手續ヲ完了セムコトヲ申出テ次テ五月十四日ニ至リ「ハ」氏ハ再ヒ渡邊總領事代理ヲ訪問ノ上旅券査證等ノ事務ヲ取扱フヘキ官吏トシテ浦潮港務局次長「カラーシン」氏同税關代官「ヤブロフスキー」氏等七名ヲ本邦ヘ向ケ至急出發セシメタキニ付同人等ノ旅券ニ査證ヲ與ヘラレムコトヲ申出テ重ネテ此ノ僅荏苒時ヲ過サムヨリモ本件ノ一日モ速ニ圓滿ニ解決セムコトヲ切望スル旨ヲ縷述セル趣ナリ

然ルニ右露國官吏ハ既ニ着京セルモ漁業問題トシテハ尚解決ヲ要スヘキ數箇ノ案件アリ而シテ此等案件ノ未タ解決セサルハ露國側カ我要求ニ對スル明答ヲ與ヘサルニ存スト雖元來我方トシテハ本件ノ爲日露間ニ遺憾ナル事態ノ惹起セサラムコトヲ期待スルモノニシテ世間往々傳フル所ノ所謂自由出漁ノ如キ措置ハ絶對ニ之ヲ避ケムトスルモノナルニ鑑ミ既ニ漁季モ到來セルニ付此ノ際一面ニ於テ其ノ果スヘキ所ヲ盡スト共ニ他面ニ於テ我當然ノ要求ニ對シテハ今後ノ商議ニ於テ飽クマテ之カ貫徹ヲ期スルコトトシ以テ本件ノ圓滿解決ヲ促進スルニ努ムルコトニ決定セリ從テ此ノ際我當業者ハ所定ノ借區料半額(他ノ半額ハ保證金トシテ既ニ納付濟ナリ)等ヲ納付シ且所要ノ手續ヲ履行シテ出漁スルコトトナルヘキモ課税其ノ他ノ案件ニ付キテ今後尚露國側ト商議ヲ繼續シ之カ解決ヲ計ラムト欲スルモノナリ

公表第十一號　　大正十二年六月廿一日

日露非公式豫備交渉開始ニ關スル外務當局談

本年二月「ヨッフエ」氏來邦以來後藤子爵ト同氏トノ間ニ行ハレタル私的會談ノ結果ニ付キ帝國政府ハ後藤子爵ヨリ詳細通報ニ接シタル處「ヨッフエ」氏ノ主張ハ帝國政府ノ意嚮ト相異スル所尠カラサルヲ以テ右露國側ノ申出ヲ日露間交渉ノ基礎トスルヲ得サルハ勿論ナルモ右私的會談ニ依リ露國側ニ於テ日露會議開催ノ爲豫備的交渉ニ入ルノ希望ヲ有スルコト明瞭トナリタルノミナラス帝國政府ハ日露兩國ノ親善ヲ希望シ兩國側ニ蟠ル諸懸案ヲ速ニ解決シ修好通商關係ヲ確立スルコト日露雙方ノ爲ニ望マシト信スルモノナルヲ以テ帝國政府ハ後藤子爵ヲ通シ「ヨッフエ」氏ニ對シ此ノ際帝國政府ニ於テハ前記意見ノ差異アルニ拘ラス兩國政府當局ノ間ニ非公式豫備的會見ヲ行ヒ各種ノ重要問題ニ關シ互ニ友誼的精神ヲ以テ腹藏ナキ意見ノ交換ヲ行ヒ正式交渉ニ入ルヲ得ヘキ基礎ヲ發見スルニ努力スルコトヲ辭セサルヘキ旨並右非公式豫備交渉ニ對スル露國側代表ニ付キ通告ヲ期待スル旨申入レタル處外務委員「チチエリン」氏ヨリ別添甲號ノ通本月十六日莫斯科發電報ヲ以テ内田外務大臣宛通報ノ次第アリタルヲ以テ我方ハ別添乙號ノ通本月二十一日「チチエリン」氏ニ宛テ内田大臣ヨリ同電ヲ發シタリ

(甲號)

千九百二十三年六月十六日「モスコウ」發

十七日東京着

外務委員　チチエリン

東京

外務大臣內田伯爵殿

露西亞社會主義聯邦「ソヴイエト」共和國政府ハ日本帝國政府ニ於テ露國ノ正式代表ト第三露日會議ノ豫備條件ニ關シ差當リ非公式タルヘキ交渉ニ入ルコトヲ希望セラルル旨ノ報道ニ接セリ依テ本官ハ露西亞社會主義聯邦「ソヴイエト」共和國人民委員會ノ名ニ於テ右豫備交渉ノ爲當方代表トシテ極東諸邦駐派露西亞社會主義聯邦「ソヴイエト」共和國特命全權代表タル全露中央執行委員會委員「アドルフ、ヨッフエ」氏ヲ任命スルコトヲ閣下ニ通告スルノ光榮ヲ有ス

(乙號)

千九百二十三年六月二十一日

伯爵　內田康哉

莫斯科

外務委員「チチエリン」殿

帝國政府ハ露西亞社會主義聯邦「ソヴイエト」共和國政府ニ於テ日露會議ニ關スル非公式豫備交渉ニ對スル貴方ノ代表トシテ「アドルフ、ヨッフエ」氏ヲ任命セラレタル旨本月十六日附電報ヲ以テ通報ノ趣了承セリ

帝國政府ハ右非公式交渉ニ對スル我代表トシテ目下滯京中ナル波蘭國駐劄特命全權公使川上俊彥氏ヲ任命スルコトヲ通告スルノ光榮ヲ有ス

Moscou, Juin 16, 1923.

Reçu, Juin 17, 1923.

Comte Uchida,

Ministre des Affaires Etrangères,

Tokio.

Il est parvenu à la connaissance du Gouvernement de la République Socialiste Fédérative des Soviéts de Russie que le Gouvernement Impérial du Japon désire entrer avec un représentant officiel de la Russie en des pourparlers qui provisoirement

seraient non-officiels et qui se rapporteraient aux conditions préalables d'une troisième Conférence russo-Japonaise. En consequence j'ai l'honneur de vous informer au mon du Conseil des Commissaires du Peuple de la République Socialiste Fédérative des Soviéts de Russie que ce dernier nomme comme son représentant pour ces pourparlers Monsieur Adolph Joffe, Représentant Plénipotentiaire et Extraordinaire de la R. S. F. S. R. dans les Pays de l'Extrême Orient, Membre du Conseil Exécutif Central Pan-Russe.

le 16 Juin,
Commissaire aux Affaires Etrangères,
Tchitchérine.

Monsieur Tchitchérine,
Commissaire des Affaires Etrangères,
Moscou.

Le 21 juin, 1923.

En vous accusant réception du télégramme daté du 16 courant qui m'informe que le Gouvernement de la République Socialiste Fédérative des Soviets de Russie a nommé Monsieur Adolph Joffe son représentant aux pourparlers préliminaires non-officiels en vue de l'ouverture d'une Conférence Japono-russe, j'ai l'honneur de porter à votre connaissance que le Gouvernement Impérial du Japon vient de nommer comme son représentant auxdits pourparlers Monsieur Toshitsuné Kawakami, Envoyé Extraordinaire et Ministre Plénipotentiaire en Pologne, qui séjourne actuellement à Tokio.

Comte Yasuya Uchida.

公表第十二號　　大正十二年六月廿八日

日露非公式豫備交渉ニ關スル「コムミユニケー」ニ付キテ

日露非公式豫備交渉ニ關スル「コムミユニケー」ニ付キテハ日本側ハ例ノ通之ヲ總テノ新聞通信社等ニ公表スルコト勿論ナリ

公表第十三號　大正十二年八月六日

英國ノ賠償問題提案ニ對スル帝國政府ノ意嚮申入

賠償問題ニ關スル七月二十日附英國提案ニ對シ帝國政府ノ意嚮左ノ通林大使ヨリ口頭ヲ以テ八月四日英國政府ニ申入レタリ

賠償問題カ歐洲ノ安定惹キテハ世界ノ平和ニ重大ナル影響ヲ及ホス大問題ナルニ顧ミ本問題カ圓滿ナル解決ヲ見ルニ至ラムコトハ帝國ノ最モ重キヲ措ク所ナリ

英國今回ノ提案ニ含マルル解決ノ諸方法ハ帝國政府ニ於テハ大體異議無キ所ナルモ帝國政府ノ有スル情報ニ依レハ英國提案ノ骨子ト佛白兩國ノ抱懷スル意嚮トノ間ニハ尚相當ノ扞格アルモノノ如シ帝國政府ハ賠償問題ニ重大ノ關係ヲ有スル聯合各國カ一層交讓妥協以テ本件ノ解決ニ付キ聯合國一致ノ傳統的態度ニ出ツルニ至ラムコトヲ切望スル次第ナリ

公表第十四號　　大正十二年八月十三日

波斯視察團派遣ニ關スル外務當局談

波斯ハ我國ト同シク亞細亞ニ國ヲ成ス友邦テアルカ明治十一年榎本公使駐都駐劄當時以來斷續數回ノ修交通商條約締結交渉ニ拘ラス其ノ都度治外法權問題ノ爲ニ兩者ノ見解一致ヲ見ルニ至ラス今以テ無條約關係ニ在ルノハ遺憾ニ堪ヘナイ次第テアル併シ世界大戰ノ爲ニ歐洲方面カラノ貨物輸入カ困難トナツタ頃カラ我國ノ商品ノ同國ニ入込ムモノ尠カラスシテ兩國ノ經濟的關係ハ漸ク密接ナラムトスル次第テアルカラ此ノ關係ヲ增進シ又出來得ルナラハ條約關係ヲ設定スル爲ニ必要ナル調査ヲ行ヒタイトハ年來希望シテ居タ所テアツタ併シ何分ニモ同國ハ國外トノ交通ノ便ヲ缺キ到底外部カラハ十分ナル調査ヲ行ヒ難イ實情ニアルコトハ世人ノ熟知スル通テアル是レ今回外務省カ視察團ヲ派遣シテ實地踏査ヲ爲サシムルコトニ決定シタ理由テアル同團ノ使命ハ何等政治的ノ意味ヲ有セナルコト言フ迄モナク專ラ敍上ノ目的ヲ以テ一般國情並經濟狀態ノ調査ヲ任務トスルモノテアル本計畫實行ニ付キ波斯政府ノ意嚮ヲ問合セタ處同國政府ハ本團ノ入國ヲ欣然歡迎シ出來得ルタケノ便宜ヲ供與スル旨ヲ回答シテ來タ從テ本團ハ波斯官憲ノ好意ヲ期待シ得ル

ノミナラス其ノ後尚英國政府ニ於テモ印度「メソポタミヤ」等通過地方同國當局ニ便宜ヲ與ヘルヤウ申通シタ筈デアルカラ一行カ十分ニ其ノ任務ヲ遂行シ得ルコトハ疑ノナイ所デアル一行ハ總領事ヲ團長トシ技師其ノ他隨員數名ヲ以テ組織シ又不健康地ヲ踏破スル場合モ尠クナイウヲ別ニ新東洋學士カ同行スルコトニナッテ居ル出發ハ八月末デアッテ先ヅ孟買ニ向ヒ同地ヲ旅行學術ヲ整ヘタ上波斯灣ニ入ッテ「バスラ」ニ上陸「バグダッド」カラ入波ノ豫定デアル今年末「ノヘラン」着ノ上ハ同地ヲ中心トシテ出來得ル限リ廣汎ナル調査ヲ遂ケ來春出國「ポートサイド」經由歸國ノ途ニ上ル筈デアルカラ本邦歸着ハ來年夏トナルデアラウ

臨城事件ニ關スル北京外交團ノ對支申入

臨城土匪事件ニ關シ北京外交團ハ八月十日各公使ノ連名公文ヲ以テ左ノ趣旨ヲ支那政府ニ申入レタ

臨城事件（千九百二十三年五月五日ヨリ六日ニ至ル夜間天津浦口線ノ急行列車土匪ノ襲撃ヲ受ケ外人拉致セラル）ニ關スル支那政府宛前照會ニ引續キ外交團ハ同政府ニ對シ左記事項ニ關スル決定ヲ通告スルノ光榮ヲ有ス

第一、被害者ノ爲ニ支那政府ニ要求セムトスル賠償金

第二、將來ニ對シ必要ナリト認ムル保障、警軍及其ノ他ノ官憲ノ責任、鐵道保護ノ手段

第三、制裁、官吏ニシテ本事件ニ關シ職務怠慢ナリシ者又ハ土匪ト共謀セル者ノ處罰

一、賠償

外交團ハ臨城事件ノ被害外國人ノ爲ニ支那政府ニ對シ賠償金ヲ請求ス

本賠償金ハ左ノ通區分ス

（イ）列車襲撃ノ際奪取セラレ若ハ紛失シタル荷物其ノ他ノ物件ノ損害及抑留中ニ於ケル各抑留者ノ醫療手當ニ對スル賠償

右賠償金ハ利害關係者所屬國領事ノ受理セル同關係者ノ宣誓ニ據ル申告ヲ基礎トスヘシ

（ロ）抑留中外國人旅行者ノ受ケタル生命若ハ自由ノ剝奪、疲勞暴行ニ對スル一定ノ賠償金

右賠償金ハ左ノ通計算ス

五月六日土匪ノ列車襲撃ノ際殺サレタル外國人旅行者ニ對シテハ銀二萬弗

五月六、七、八ノ最初ノ三日間ノ抑留ニ對シテハ一人一日銀五百弗

五月九日以後一週間ノ抑留ニ對シテハ一人一日銀白弗

五月十六日以後一週間ノ抑留ニ對シテハ一人一日銀百五十弗

五月二十三日以後一週間ノ抑留ニ對シテハ一人一日銀二百弗

五月三十日以後一週間ノ抑留ニ對シテハ一人一日銀二百五十弗

六月六日以後一週間ノ抑留ニ對シテハ一人一日銀三百弗

（ハ）抑留者ノ救助費用償還ノ爲ノ賠償金

右外交團自身決定提出セル（イ）（ロ）（ハ）ノ賠償要求ニ拘ラス外交團ハ臨城事件ノ被害外國人カ抑留自體若ハ其ノ結果ニ係ル身體上ノ傷害醫療手當利得ノ喪失ハ一時的若ハ永久的ノ活動能力ノ減退ニ付キ各人各別ノ追加賠償ヲ支那政府ヨリ受クルノ權利アルコトヲ宣言ス

右個人的賠償ハ各場合ニ付キ利害關係者所屬國ノ公使館ニ於テ審理提出スヘキモノトス

外交團ハ支那政府ニ對シ千九百二十二年六月ヨリ十二月ニ亘リ河南土匪ニ拉致セラレタル外國人ノ被レル損害ニ對シ諸公使館ヨリ各別ニ提出シ若ハ提出スヘキ要求ヲ支持シ以テ同要求カ外交團ノ承知スル所ニシテ且主義上其ノ承認スルモノナルコトヲ明ニセムトス

二、將來ニ對スル保障

土匪ハ單ニ山東省ノミナラス尙直隸、江蘇、河南、安徽各省ノ全部若ハ一部及其ノ他ノ省內ニモ跋扈シ而モ之カ討伐手段ノ現況著シク不滿足ナルモノアルハ外交團ノ頗ル遺憾トスル所ナリ支那政府ノ最重要ナル義務ハ秩序ヲ維持シ匪賊ノ暴虐ニ對シ外國人及支那人ヲ保護スルニ在ルカ故ニ外交團ハ中華民國政府ニ對シ巡閲使督軍等ヲシテ相協戮シ其ノ有スル最良ノ軍隊ヲ以テ徹底的ニ土

匪討伐ヲ為ス為直ニ必要ノ措置ヲ執ラシメムコトヲ要ス外交團ニ於テハ或ハ外國公使館附武官ヲシテ親シク右討伐ノ模様ヲ視察セシメ之カ情況ヲ報告セシムルコトアルヘシ

（甲）督軍及其ノ他ノ地方官憲ノ責任

千九百年事件ノ解決ニ關スル最終議定書（第十條附屬書第十六號）ハ總督巡撫及各省各地方ノ官吏ハ各其ノ管轄内ニ於テ排外的紛擾再發ノ場合最モ有效ナル方法ヲ以テ外國人ヲ保護シ秩序ヲ維持スルノ職責ヲ有スルコトヲ宣言シ更ニ同議定書ニハ右職責ヲ竭ササル者ニ對シ左ノ刑罰ヲ規定セリ「若シ或ハ漫ニ怠慢スルカ故意ニ縱容シ以テ巨禍ヲ醸成シ或ハ條約違反ノ所行アルモ即時ニ彈劾セス犯罪人ニ赤立ロニ懲罰セサルニ於テハ當該總督、巡撫、文武大官及地方有司各官ハ一概ニ革職シ永タ任用セス他事ニ投敵シ開復ヲ希圖スルヲ準サス亦罰ニ奚欲ヲ給スルヲ得ス」土匪ノ害ハ在支諸外國人生命財産及權利ノ一大脅威トナレルヲ以テ外交團ハ右特殊ノ混亂狀態ニ鑑シ正確ナル報道ヲ得ムコトヲ欲シ之カ爲同國ニ於テ有要ト認メタル場合土匪ノ跋扈スル地方ニ其ノ狀態ヲ調査シ其ノ結果ヲ報道スルノ任務ヲ有スル代表者ヲ派遣スルヤト ニ決定セリ督軍軍隊指揮官若ハ省又ハ地方官憲ニシテ前記千九百一年ノ議定書ノ規定ニ違ヒ外國人ノ安全ヲ確保スルノ義務ヲ怠リ又ハ怠ルリト認ムルトキハ外交團ハ此等有罪者ニ對シ右議

定書規定ノ制裁ヲ即決適用セムコトヲ要求スヘク尚其ノ外其ノ時ノ事情ニ應シ附加刑罰金等ヲ要求スルコトアルヘシ

尚外交團ハ此等指揮官又ハ官吏ニ對シ條約港ニ於ケル外國人「コンセッション」若ハ「セットルメント」ノ保護ヲ與ヘサルコトヲ命スルノ權利ヲ保留ス

（乙）鐵道保護ノ方法

臨城事件ハ支那重要交通路ノ一タル津浦線及支那鐵道ニ便乘セル外國人ノ旅行者カ現實ノ危險ヲ冒スモノナルヲ示セリ

外交團ノ爲セル調査及外交團ノ得タル報告殊ニ其ノ臨城ニ派遣シタル國際軍事委員ノ報告ニ依レハ支那鐵道ノ保護ニ關スル現在ノ制度ハ此等鐵道ノ保護ヲ有效ニ確保スルニ適セス

外交團ハ右ニ對スル改革ノ必要ヲ認ムルト共ニ改革實現ノ爲支那政府ト協力シ之ヲ援助スルノ義務アリト思惟ス

外交團ノ企圖スル改革ハ支那特別警察隊ヲ組織シ之ヲ外國人士官ノ監督ノ下ニ置キ以テ支那鐵道線路ノ保護ヲ全ウセシムルニ在リ

外交團ハ本問題ニ付キ更ニ篤ト研究ノ上支那政府ニ對シ今後同國ニ於テ採用スルコトアルヘキ計畫ヲ遅滯ナク申出ツヘキコトヲ留保ス

三、制裁

外交團ハ文武官及津浦鐵道從業員ニシテ土匪ト通謀セル證左アル者職務怠慢、不用意若ハ無能ニ依リ犯罪遂行ヲ容易ナラシメタル者又ハ其ノ態度ニ依リ外國人拘留ヲ永引カシムルニ至レル者ノ處罰ヲ支那政府ニ要求スルコトニ決セリ

臨城事件ニ關シ執ラルヘキ總テ訴追ノ詳細ニ立入ルコトハ姑ク措キ外交團ハ國際文官委員及國際武官委員ニ依リ又ハ其ノ他ノ方法ニ依リ精密ナル調査ヲ遂ケタル上支那政府ニ向ヒ或ル數名ニ對スル外交團決定ノ處罰適用ヲ左ノ通要求セサルヘカラスト思考ス

(一) 山東督軍田中玉將軍ハ山東督軍トシテ同省內ニ於ケル秩序維持外國人保護ニ對シ直接且全幕ノ責任ヲ有シ又同省ニ於テ全軍隊ノ最高指揮官トシテ其ノ軍隊ノ給與規律及行爲ニ對シ責任アルヲ以テ直ニ其ノ現職ヲ即決罷免シ向後再ヒ支那領土內ニ於ケル公職公務ニ就カシメス又新ナル榮譽ヲ授與セサルヘキコト

(二) 兗州鎮守使象山東第六混成旅團長何蜂鈺將軍ハ兗州鎮守使トシテ山東ノ南部地方ニ於テ田將軍カ全省ニ對シ有スルト同一ノ責務ヲ有シ田將軍ニ次キ山東南部地方ニ於ケル匪賊

政黨ニ對シ責任アルヲ以テ其ノ職ヲ免シ再ヒ如何ナル軍隊指揮官ニモ任スルヲ得サルヘキコト

(三) 津浦鐵道警備隊司令張文湯將軍ハ同鐵道系統ノ線路及列車上ニ於ケル警備隊ノ規律及行爲ニ對シ責任アルヲ以テ其ノ職ヲ免シ將來再ヒ如何ナル鐵道警察ノ職務ニモ就カシムルヲ得サルヘキコト

(四) 五月六日襲撃セラレタル列車警備兵ノ指揮官タリシ趙得紹ハ襲撃ノ當時制服ヲ着セス又何等ノ手段ヲモ執ラスシテ土匪ニ捕ハルルニ至レルヲ以テ其ノ現職ヲ免シ以後再ヒ警察職務ニ就カシメサルコト

本書第二項甲後段所述ノ趣旨ニ準ヒ外交團ハ此等四名ノ官憲ニ對シ條約港ニ於ケル外國人「コンセッション」若ハ「セツトメント」ノ保護ヲ與ヘサルコトヲ命スルノ權利ヲ留保ス

然レトモ單ニ數名將校ノ處罰ハ外交團ノ正當ナル要求ニ對シ滿足ヲ與フルモノニアラス

土匪ノ津浦線列車襲撃外國人旅行者ノ拉去其ノ抑留ノ期間彼等ヲ救出スル爲ニ執ラサルヘカラサリシ手段ハ外國人カ支那ニ於テ其ノ權利タル完全ノ保障ヲ有セサルコトヲ世界ニ表明セリ故ニ臨城事件ノ眞ノ制裁ハ支那政府及總テノ支那官憲ヲシテ嚴格ニ外國人ノ權利及現行條約ヲ尊重セシ

ルコトヲ存セサルヘカラス外交團ハ其ノ權限内ニアル有ラユル手段ヲ以テ此等ノ權利ノ擁護及條約ノ履行ヲ監視勵行スヘキコトノ重固ナル決定ヲ爲セリ蓋シ此等ノ權利及條約ハ支那共和國樹立ノ際千九百十三年十月十日附ヲ以テ公布セラルルニ先チ國六日附ヲ以テ各公使館ニ通告セラレタル宣言ニ依リ嚴肅ニ確認セラレタルモノナリ

終ニ臨ミ外交團ハ今ヤ支那全國ニ對シ將又外國人ノ權利利益ニ對シ重大ノ危險ヲ爲シツツアル支那土匪問題ニ關シ支那政府ノ注意ヲ喚起セムトス

外交部カ各公使宛公文通牒ヲ以テ屢々或ル地方ノ不安ナル狀態ヲ通報シ來リ同地方ニ於ケル外國人ノ遊歷差控ヲ希望セルカ如キハ正ニ支那政府カ支那ニ於ケル土匪ノ存在及其ノ最近ノ發展ヲ亦知シ居ルコトヲ自認セルモノト認メナルヲ得ス

外交團ハ茲ニ右通告ヲ以テ單ニ一定ノ期間ヲ限リ有效ナルモノト看做スヘキ旨支那政府ニ通告セルカ今後ハ右通告ヲ以テ支那政府カ該地方ニ於ケル土匪ノ存在ヲ公然認定セルモノト看做シ而シテ一定ノ猶豫期間ヲ置キ其ノ後更ニ同樣ノ通告ヲ繰返ストキハ之ヲ以テ支那政府カ一旦土匪ノ存在ヲ否定セル地方ト雖尙其ノ鎭壓ヲ爲ス能ハサリシコトヲ公然認定セルモノト看做スヘキ旨ヲ茲ニ言明ス

外交團カ支那ニ於ケル土匪鎭壓ヲ追求スルハ外交團ニ於テ保護ノ責任ヲ有スル外國人ノ權利利益カ土匪ニ依リ侵迫セラルルカ爲ナリ然レトモ土匪ノ害ヲ被ルハ獨リ外國人ニ止ラス支那人モ亦之ニ讓ラスサレハ土匪鎭壓ニ依リ支那ニ於ケル外國人ノ安全ヲ確保スヘシトノ外交團ノ要求ハ事實上支那人モ亦自國領土内ニ於テ其ノ安全ヲ確保セラレサルヘカラストノ要求ナリ

最近ニ於ケル土匪ノ發展及其ノ結果タル慘禍ノ原因ハ全然兵力ノ缺乏ヲ事實ニ存セス現在支那ニハ世界ニ於ケル他ノ孰レノ國ヨリモ多數ノ武裝兵アリ然レトモ此等軍隊ハ土匪ノ討伐ヲ爲サス蓋シ給料不拂ノ爲兵士ハ何等ノ努力ヲモ爲スヲ肯セス甚タシキニ至リテハ土匪ト妥協シ殊ニ最良ノ軍隊ハ別種ノ勤務ニ服セシメラルルカ爲ナリ支那政府カ最良ノ訓練アル軍隊ヲ此ノ大國ノ各地方ニ於テ絕エス荒廢ヲ伴フ内亂ニ從事スルヲ放置スル限リ中央及地方ノ各軍隊孰レモ益々其ノ本來ノ職分ヨリ遠サカリ土匪ノ慘虐ニ對スル支那國民ノ保護者タラスシテ却テ其ノ慘禍ヲ釀成スル主タル機關タル域ニ至ルヘシ

若シ支那政府ニシテ此ノ弊害ヲ公認若ハ認メシ支那ニ於ケル外國人ノ權利利益ヲ侵迫スル土匪鎭壓ノ爲斷乎タル手段ヲ講セサルニ於テハ外交團ハ支那ニ於ケル外國人ノ生命財產權利及利益ヲ保護スル爲必要ナル他ノ手段ヲ執ルヘキヲ講究スルノ已ムナキニ至ルヘシ蓋シ支那ハ從參戰界國

露國側ノ名目ニ關スル權利特權ヲ享有スト雖右權利享有ノ根據タル國家ノ根本的義務履行能力ナキヲ表明スルニ至ルヘケレハナリ

外交團ハ蒙地本件ノ賠償トシテ本受書ニ列擧セル賠償金、保障及制裁ニ關スル要求ノ貫徹ヲ期スルモノナルヲ蒙ニ支那政府ニ言明ス

日露非公式豫備交渉ノ經過

本年六月二十八日ヨリ日露非公式豫備交渉ヲ開キ帝國代表川上公使ト露國代表「ヨッフエ」氏トノ間ニ隔意ナキ意見ノ交換ヲ行ヒ諸般ノ問題ヲ審査討議シ其ノ或部分ニ付キテハ意見ノ一致ヲ見タルモノアリ然ルニ七月二十四日及同月三十一日ノ會議ニ於テ露國代表ハ本國政府ヨリ訓令ニ接シタル趣ヲ以テ會議ヲ急遽終了セムコトヲ提議スルニ至リタルヲ以テ兩國代表ノ間ニ既ニ討議シタル所ヲ取纏メテ會議議事要錄ヲ作成スルコトトナリ七月二十七日露國代表ハ日本代表ニ對シ書翰ヲ以テ非公式豫備交渉終了ノ意ヲ通シ且日本側ニ於テ露領薩哈璉ノ即時撤兵ヲ爲スノ用意アル旨自主的聲明ヲ爲シ以テ正式交渉ヲ開始スルコト必要ナリト思惟スル旨等ヲ申入ルルト共ニ露國側作成ニ係ル議事要錄ヲ帝國代表ニ送致シタルカ右要錄ニハ我方ノ了解セル所ト相異スル點アルノミナラス露國側ノ立場ノミヲ明ニシ我方主張ノ記載不十分ナルヲ以テ同月三十一日最終ノ會議ニ於テ此部分ニ付キ訂正ヲ加ヘタルモ猶不十分ナルニ依リ此等ノ點ニ付キ正確ヲ期スル爲更ニ我方作成ニ係ル議事要錄ヲ八月三日露國代表ニ送付スルト共ニ我方ニ於テハ尼港問題及之ニ關聯スル

請願ノ具體的解決方法及國際義務問題ノ解決方法ニ付キ引續キ十分ナル意見ノ交換ヲ行ハレタルヲ歡期シタルニ先方ノ都合ニ依リ「ヨッフェ」氏トノ交渉ヲ打切ラナルヲ得ナルニ至レルヲ遺憾トスルコト此ノ薩哈嗹撤兵ニ付キテハ帝國政府ハ尼港事件及之ニ關聯スル問題解決セラルル場合ニハ右ニ關スル聲明ヲ爲スニ躊躇セナルコト並今回ノ交渉カ將來日露兩國間ニ一層良好ナル了解ヲ齎スニ資スル所アルヘキヲ期待スル旨ヲ回答シ以テ「ヨッフェ」氏トノ交渉ヲ終了セリ

右日露非公式懇談交渉ノ議事大要左ノ如シ

一、露領薩哈嗹問題

(イ) 露國ハ相當ノ價格ヲ以テ露領薩哈嗹ヲ日本ニ賣却スルコトニ同意スヘキ旨ヲ提議シタル處露國代表ハ露領薩哈嗹ヲ日本ニ賣却スルコトハ露國ニ於テ應諾シ得ルモノト思考スルモ國民ヲ納得セシムル爲ニハ其ノ價格ノ大ナルコトヲ要スル旨ヲ述ヘ價格ニ付キ意見ノ一致ヲ見ルニ至ラスシテ本問題ハ未決ノ儘留保セラレタリ

(ロ) 次ニ帝國代表ヨリ北薩哈嗹ノ賣買成立セサル場合露國ハ日本政府又ハ日本會社ニ對シ北薩哈嗹ニ於ケル石油石炭森林ニ關スル富源開發ノ長期利權ヲ供與スルコトニ同意スヘキヲ提議シタル處露國代表ハ本提議ヲ以テ根本ニ於テ應諾シ得ヘキモノト思考スル旨言明セルモ特權ニ關シテハ知ル所少ナキノ故ヲ以テ帝國代表要求ヲ基礎トシ本國政府ニ電報シ其ノ意向ヲ確カムヘキコトヲ約シタリ然ルニ露國代表ハ最終會議マテ何等之ニ對スル的確ナル報道ヲ與フルニ至ラサリキ

二、尼港問題ニ關シテハ帝國代表ヨリ(イ)露國ハ尼港ニ於ケル日本領事領事館員及居留民虐殺ニ付キ遺憾ノ意ヲ表スルコト(ロ)露國ハ尼港事件ニ際シ日本人ニ與ヘタル損害ヲ賠償スル義務アルコトヲ認ムルコトヲ要求シタルニ對シ露國代表ハ最初日本軍隊カ西伯利ニ於テ行ヘル同樣ノ事件ニ付キ日本政府カ遺憾ノ意ヲ表スルト共ニ損害ヲ賠償スルコトヲ條件トシテ之ニ同意スヘシト主張シタルモ後物質的責任ヲ問フコトナク單ニ遺憾ノ意ヲ表スルノミナルニ於テハ露國ニ於テ一方的ニ之ヲ爲スコトヲ得ヘシト讓歩セリ帝國代表ハ露國ニシテ北薩哈嗹問題ヲ日本ノ爲有利ニ解決スルニ於テハ同國ノ現下ノ困難ナル財政狀態ニ鑑ミ尼港事件ニ對スル物質的賠償ハ成ルヘク之ヲ要求セスシテ處理スルニ努力スルモ可ナル旨ヲ述ヘタリ然ルニ露國代表ハ陳謝文案ノ審議ニ入ルヤ其ノ前半ニ於テ遺憾ノ意ヲ表シ乍ラ其ノ後半ニ於テ其ノ趣旨ヲ滅却スルカ如キ意味ノ文案ヲ固持セル爲討議ヲ累ネテ意見ノ一致ヲ見ル能ハス遂ニ露國側ヨリ之ヲ未決ノ儘留保スルコトトシ他ノ問題ノ審議ニ移ルヘキヲ提議シタルヲ以テ我方之ニ同意セリ

三、露國カ日本人ニ對シ其ノ極東領土ニ於ケル森林及鑛山等開發ノ利權ヲ供與スルコトニ同意セムコトヲ求メタル日本側提案ニ對シ露國代表ハ同意セリ

四、國際義務問題ニ關シテハ(イ)苟モ一國舊來ノ領土及住民ヲ基礎トシ存在スル限リ國內ニ政變アルモ其ノ國際的地位ニ變化ナキモノナルニ依リ新政府ハ前政府ノ權利義務ヲ繼承スヘキハ當然ノ事理ニシテ前政府カ外國政府ト締結セル國際條約ノ效力ヲ否定シ一方的ニ之ヲ廢棄スルコトヲ許サス又日露間ノ條約カ戰爭ニ依リ失效セリトノ主張ハ兩國間ニ戰爭存在シタルコトナキヲ以テ固ヨリ成立セサルコトヲ指摘シテ日露間ニ現存スル條約ヲ承認セムコトヲ要求シ又(ロ)如何ナル國家モ革命ヲ理由トシテ外國ニ對スル債務ヲ廢棄スルヲ得ス右ニ關シ債務ノ原因又ハ用途ハ之ヲ問フ所ニアラス又露國ハ戰爭ノ分配ニ與ラサルカ故ニ戰爭ニ使用セラレタル債務ヲ認ムル理由ナシト云フモ右ハ露國カ與國ヲ賣リ且單獨講和ヲ爲サストノ約ニ背キテ「ブレストリトウスク」ニ講和ヲ締結シ自ラ戰勝ノ分配ヲ拋棄セルモノニシテ露國自身ノ罪ニシテ之ヲ以テ帝國ニ對スル債務ヲ廢棄スルヲ許ササルコトヲ指摘シテ帝國ニ對スル露國ノ債務ヲ承認スヘキコトヲ要求シ(ハ)如何ナル國家ト雖其ノ制度又ハ國內法ノ變更ニ依リ外國人ニ屬スル權利及財產ヲ不當ニ侵害スルコトヲ得サルハ國際法上確立セラレタル所ナルヲ指摘シテ露國カ沒收シ

タル私有財產ヲ舊所有者ニ返還スルカ又ハ其ノ損害ヲ賠償スルコトニ同意セムコトヲ要求シタル處露國代表ハ舊條約ヲ承認スルコトニ同意スルコトヲ拒絕シ債務ニ關シテハ勞農政府ニ於テハ一般ニ露國前政府ノ締結セル如何ナル債務ヲモ承認スル義務アリト思考セス殊ニ戰時債務ニ付キテハ之ヲ支拂ハサル完全ナル權利アルコトヲ主張シ且露國カ戰爭ヲ脫退シタルハ不可抗力ニ依ルモノナルコトヲ主張シ沒收私有財產ノ返還及損害賠償ニ關シテモ之ニ同意スルコトヲ拒絕シ殊ニ日本人ノ財產及權利ハ主トシテ極東ニ限ラレ而シテ同方面ニハ國有制度實施セラレサリシニ依リ日本人ハ本項ニ關シ利害關係ヲ有スルコト少ナシト述ヘタリ

以上ノ外

五、我方ヨリ通商條約ノ締結ニ際シ露國ハ日本臣民ニ對シ生命ノ安全ヲ保障シ私有財產權ヲ尊重シ成ルヘク廣汎ナル範圍ニ於テ商工業ノ自由ヲ保障スルコトヲ約セムコトヲ提議シタルニ對シ露國代表ハ露國國內法ヲ遵守スルノ條件ヲ以テスレハ本項ハ大體ニ於テ何等重大ナル反對ヲ惹起セサルヘシト思考スル旨ヲ聲明シ

六、又帝國代表ヨリ日露兩國ハ他ノ一方ノ安寧秩序ヲ脅威スル有害ナル宣傳及侵略行爲ヲ禁止スルコトヲ互約セムコトヲ提議シタルニ對シ露國代表ハ本項ヲ著シク廣汎詳細トナシ又說明ヲ附

スルヲ條件トシテ之ニ同意セリ [illegible]

六ハ又帝國代表ヨリ [illegible]

[illegible]

五ノ彼方ヨリ [illegible]

以上ノ件 [illegible]

[illegible]

日米仲裁裁判條約ノ有效期間第三回延長ニ關スル協約ノ調印

明治四十一年五月五日米國華盛頓ニ於テ調印セラレ同年八月二十四日同地ニ於テ批准書交換アリタル日米仲裁裁判條約ノ有效期間第三回延長ニ關スル協約ハ本月二十三日米國華盛頓ニ於テ埴原大使ト米國國務卿「ヒューズ」氏トノ間ニ調印ヲ了シタリ

右協約ノ大要左ノ如シ

第一條　日本帝國皇帝陛下ノ政府及亞米利加合衆國政府間ニ於ケル明治四十一年五月五日ノ仲裁裁判條約ハ同條約第三條ニ依リ批准書交換ノ日ヨリ五年間有效ト定メ其ノ期間ハ大正二年六月二十八日ノ兩政府間ノ協約ニ依リ同年八月二十四日ヨリ五年間延長セラレ而シテ大正七年八月二十三日ノ同政府間ノ協約ニ依リ同年八月二十四日ヨリ再ヒ五年間延長セラレタルモノナル處更ニ同條約ノ效力ヲ大正十二年八月二十四日ヨリ五年間延長シ其ノ間引續キ有效ノモノトス

第三條　本條約ハ日本國皇帝陛下ニ依リ及元老院ノ協贊ヲ經テ亞米利加合衆國大統領ニ依リ批准セラルヘク批准書交換ノ日ヨリ其ノ效力ヲ有ス批准書交換ハ成ルヘク速ニ華盛頓ニ於テ之ヲ行フヘシ

右調印ト同時ニ前記仲裁裁判條約更新方ニ關シ埴原大使ト國務卿「ヒューズ」氏トノ間ニ左ノ了解ニ付キ公文ノ交換ヲ爲シタリ

本年二月二十四日合衆國大統領ハ海牙ニ於ケル常設國際司法裁判所ヲ設置シタル千九百二十年十二月十六日ノ議定書ニ對スル合衆國ノ加入ヲ一定ノ條件ノ下ニ協贊セムコトヲ元老院ニ提案シタルカ元老院ハ本年十二月マテ其ノ通常會ヲ召集セラレサルニ因リ元老院ニシテ右提案ニ協贊ヲ與ヘタル場合ニハ日本帝國皇帝陛下ノ政府ニ於テハ今回更新スル仲裁裁判條約ニ揭ケタル紛議ヲ常設國際司法裁判所ニ付託スルコトトナス爲該條約ヲ改訂シ又ハ別箇ノ協約ヲ締結スルコトヲ考慮スルニ異議ナカルヘキモノト了解ス

尙右協約ハ正文接到ノ上外務省ヨリ批准ノ手續ヲ奏請スル筈ナリ

甘粕大尉事件ニ關スル外務當局談

甘粕大尉事件關係ノ橘宗一殺害事件ニ對シ米國大使館カラ外務省ニ抗議ヲ爲シタトカ又ハ說明ヲ求メタトカ言フ報道カ昨今傳ヘラレテ居ルカ右ノヤウナ事實ハ少シモ無イ右ハ世上ノ誤解ヲ起ス虞カアル風說デアルカラ念ノ爲一言スル

稅關手續國際會議

本年十月十五日ヨリ十一月三日マデ瑞西國「ジュネーヴ」ニ於テ稅關手續ニ關スル國際會議ガ開催セラレタ此國際會議ハ目下聯盟ニ加入シテ居ル諸國ノ外北米合衆國、「エクワドル」、獨逸、墨西哥ヲ招請シ又別ニ本國際會議カ實業家ニ對シ利害關係密接ナルノ理由ニ依リ國際商業會議所ノ代表者ヲモ諮問機關トシテ參列セシムルコトトナツタ

抑本會議ノ開催セラレルニ至ツタ由來ハ大正十年「ジュネーヴ」ニ開カレタ第二回國際聯盟總會及當時開カレタ聯盟ノ經濟委員會ニ於テ日本全權及委員カ通商上ノ機會均等門戸開放主義ヲ高唱シ各國ヲシテ此ノ主義ヲ認メシムルニ努力シタ結果ニ源ヲ發スルノデアル當時我全權及委員ハ歐洲ノ復興乃至世界ノ福祉增進ノ爲ニハ各國カ門戸ヲ開放シテ原料品ノ輸出ヲ自由ニシ製造品ノ輸入ノ禁止制限ヲ撤廢シ外國人ノ旅行居住並產業ニ對スル差別待遇ヲ撤去シ以テ各國間物資ノ流通、移民ヲ自由ニスルコトカ戰爭ニ依リ被ツタ禍害ヲ早ク恢復スル所以デアルトノ旨ヲ强調シタノデアル併シ乍ラ歐洲各國ニ於ケル利害關係ハ甚タ錯雜シタモノカアリ我主張貫徹ニハ隨分困難障碍

カアツタヤウナアルカ意理アル我主張ハ諸国ヲシテ之ヲ認メ唯利害上ノ關係ヨリ先ツ聯盟規約第二十三條通商衡平待遇ニ關スル規定ヲ實現スルニ最モ容易ナアルト考ヘラレル事項ヲ且諸國間ノ利害關係ニ影響ノナイ即チ政策問題ニ亘ラナイ事項ニ關シ國際會議ヲ開催シテ右原則ノ實現ニ資スル方法ヲ講ジヨウト云フコトニナリ他面聯盟附屬交通委員會ニ於テ交通ノ自由ニ關スル諸般ノ問題又議スルト同時ニ聯盟ノ經濟委員會ニ於ケル審議ノ結果第一ニ實行セラレタモノカ今回ノ稅關手續國際會議ナアル

本會議ノ開催ニハ右ノ如キ由來カ存シテ居ル次第ナアツテ從テ會議ノ名モ手續會議ト特ニ呼稱シ政策問題ニ全然觸レナイト云フ條件ヲ各國代表者ハ集ツタノナアル

議事ハ豫メ國際聯盟事務局ヨリ各國ニ通知シテアツタ條約案ヲ討議シタノナアツタカ右條約中ノ主ナル條項ハ

(一)稅關手續ニ關シ不公正ナル取扱ヲナサヌコト(二)稅關手續ヲ簡單ニスルヤウ法規ヲ改正スルコト(三)國家ノ緊切ナル利害ニ關係アル場合ノ外本條約ヲ遵守スルコト(四)稅關規則ノ公表(五)輸出入禁止制限ニ關スル規則ノ緩和(六)原產地證明ノ省略及發給機關ノ相互承認(七)關稅ノ主權ニ屬スル屬領ト本國トノ間及屬領相互間ニ本條約ヲ如何ナル條件ノ下ニ適用スルヤノ問題

等十數箇條ヨリ成ツテ居ル然ルニ右會議ニ於テハ我代表代理ハ前述ノ通商自由門戶開放ノ見地ヨリ各條項ニ亘リ成ルヘク自由ナ取扱ヲ主張シタノナアルカ關係國代表ヨリノ反對モ尋常ナハナカツタノナアル就中

(三)ニ付イテハ元來通商衡平主義ヲ實現スル爲本條約ヲ締結シ之ニ從ハムトスルノナアルカラ通商上ノ障碍トナルカ如キ規則ノ存在乃至措置ヲ許シ得ヘキ場合ハ最モ之ヲ局限スルノ必要カアルノナアルカ單ニ國家ノ緊切ナ利害關係ト云フタケテハ意味廣キニ過キ國ニ依ツテハ左程重大ナナイ事項ヲモ緊切ナ利害關係アルモノトノ口實ヲ以テ衡平ノ主義ニ抵觸スル措置ニ出ツルモノカナイトモ限ラナイノナアル斯クテハ折角ノ條約モ十分目的ヲ達スルコトカ出來ナイ次第ナアルカラ我代表代理ハ國家ノ安全ニ緊切ナ關係アル場合ノミ本條約ノ除外ヲ認容シ得ヘキモノトセムコトヲ主張シタノナアルカ二三代表ノ反對カアツタ爲多數國全部ノ賛成ヲ得ナカツタ次第ナアル次ニ(四)稅關規則ノ公表問題ハ曩ニ我商業會議所ヲ通シ本條約案ニ對シ本邦實業家ノ意見ヲ徵シタ際關稅率及稅關規則ノ改正ノアルトキニ之カ實施ニ際シ十分ノ猶豫期間ヲ設ケル趣旨ノ規定挿入ノ希望カアツタノナアルカ或ル國ニ於テハ之ヲ政策問

題タアルトヲ反對シタ向モアツタノヲアル併シ我代表代理ノ努力モアリ結局賞罰十分ノ用
知機關ヲ設ケルコトトナツタ次第ヲアル又(六)原產地證明問題ニ關シテハ原產地ノ明白ナ貨
物ニ付イテハ證明書ノ提出ヲ要シナイコト、相當ノ理由アルトキハ證明書ノ提出ニ進當ノ猶
豫期間ヲ許與スルコト、證明書ノ國語ハ輸出入國何レノ國語ヲ以テスルモ之ヲ認ムルコト等
ノ望マシキ旨ヲ規定シタノヲアルカ輸出入商人ニ取リ可ナリ便利トナルコトト考ヘラレル最
後ニ(七)同一主權ノ下ニ在ル屬領ト本國トノ間及屬領相互間ノ關係ニハ本條約ノ條項ヲ適用
シナイトノ規定ハ帝國代表代理ニ於テ之カ挿入ニ反對シタノヲアルカ關係國代表ノ强ヒテノ
希望ニ依リ「パルセロナ」自由通過條約等ニ於ケルカ如ク其ノ條之ヲ存置スルコトトナツタ其
ノ際關係國代表ハ聯盟國ノ一員タル屬領ニシテ之ニ加入シタモノハ總約國ノ通商ニ對シ不公
正ナ取扱ヲナサナイコトヲ又他ノ關係國代表ハ今直ニ本條約ニ加入シナイ植民地ト雖今後本
條約ニ全然加入シナイ趣旨ヲナイコトヲ夫々聲明スル所カアツタ

以上ノ通本會議ニ於テ成立シタ條約ハ主義ニ於テ至極結構ヲアリ又從來ニ比シ通商上極重ナ點カ
決シテ尠クナイノヲアルカ我トシテハ尙多少考慮ヲ要スル點カナイコトモナカラズ就中、佛、伊、
獨、白、西、葡、希、瑞西、「セルブクロアート」、「リツアニー」、芬蘭、伯剌西爾、智利、「ウルグア

イ」、「ユーロー」、南阿聯邦、「モロツコ」、「チユニス」等及ハ議場ニ於テ直ニ調印シタケレトモ日本側ニ
於テハ代表ヲアル松田公使カ病氣ヲ會議ニ出席シ兼ネタ事情モアリ旁々條約正本カ到着シタ後更
ニ審議ノ上追加調印ノ可否ヲ決スルコトトシタ

公表第二十號　大正十二年十二月六日

日本「セルブ、クロアート、スロベーヌ」新通商航海條約締結

「セルブ、クロアート、スロベーヌ」國ハ歐洲戰亂ノ際成立シタル新興國ナアッテ帝國ト等シク「ヴェルサイユ」及「サンジエルマン」ニ於テ對獨及對墺平和條約ニ調印シ次テ別約ヲ以テ主タル聯合及同盟國ノ賠償等ニ關シ相互主義ニ依ル最惠國待遇ヲ許與シテ居ルカ彼我ノ間ニ於ケル通商往來ノ關係漸次增進ノ見込アリ從テ豫メ兩國ニ於ケル臣民及會社ノ地位並通商航海ノ關係ヲ確立シ置クノ必要ナルト共ニ現ニ兩國カ無條約關係ニアル爲ニ兩國產商品カ相手國ニ於テ關稅其ノ他ニ關シ不利ナル待遇ヲ受クルノ事態ヲ改善スルノ必要ナルコトヲ認メ帝國政府ハ本年春以來在墺本多大使ヲシテ進納ニ於テ先方代表ト通商航海條約締結ノ商議ヲ爲サシメ爾來累次ノ交渉ヲ經タル後遂ニ條約ノ成案ヲ得去ル十一月十六日之カ調印ヲ了スルニ至ッタノデアル本條約交渉ニ當ッテ當初帝國政府ヨリ墺ニ「ワルソウ」ニ於テ調印セラレタ日本波蘭間通商條約ヲ談判ノ基礎トスルヤウニ提議シタ處「ユ」國代表者ノ希望ニ依リ最惠國待遇ノ交換ヲ以テ各條ノ基礎トシ範ヲ現行日本墺

鳥間ノ通商條約ニ據ルコトニ改メタノヲアル間ヲ本條約ハ身體財産ニ關スル保護出訴ノ自由ニ付キ特ニ國民待遇ヲ又入國、旅行、居住、滯在又ハ通商航海ノ自由ニ付キ國法遵守ノ條件ノ下ニ絶對又ハ相對的自由ヲ規定シタ外(一)土地家屋ノ賃借、動産不動産ノ取得占有(二)租稅其ノ他ノ賦課(三)領事官ノ任命(四)貨物輸出入ノ制限、禁止(五)輸出入稅及內國稅ノ賦課(六)會社及組合ノ互認及其ノ營業權ノ行使(七)締約國船舶ニ適當スル貨物ノ課稅其ノ他ノ取扱及旅客ノ運送(八)船舶ノ繫留、貨物ノ積卸及船舶ニ對スル課稅等ニ關シ最惠國待遇ヲ保障シ其ノ他兵役ノ免除、徵發ノ制限、船舶ノ國籍、內水及「ダニウーブ」河航行ニ關スル規定ヲ設ケ且兩國沿岸貿易、接壤貿易及內國民漁業ニ關スル條約ノ適用ノ除外等ヲ規定シテ居ル

尙本條約ハ兩國ニ於テ批准ヲ經其ノ交換ヲ了シタ後十日ヲ以テ實施ヲ見ルベキ樣合ナアル又有效期間ハ戰後ニ於ケル經濟狀況未タ安定シナイ所ニモ鑑ミ短期間ノモノ即チ實施後六箇月間トシ其ノ後ハ三箇月ノ豫告ヲ以テ何時タリトモ廢棄シ得ヘキモノトシタノヲアル

支那人誤殺事件ニ關スル外務當局談

十二月二十日諸新聞紙ニ王正廷氏外二名ノ陳述トシテ今次震災後東京及附近各縣ニ於テ支那人ノ慘殺事件カ起ツテ殊ニ大島町ニ於テ最モ甚シク其ノ被害者三百餘人ノ多キニ達シ就中僑日共濟會會長王希天氏モ亦殺害セラレタ旨カ揭載セラレタカ震火災ノ際本邦人カ誤ツテ支那人ヲ殺傷シタ事件ニ付イテハ當局ニ於テ嚴重ニ調査シタ結果其ノ犯情ノ判明シタモノハ加害者ヲ起訴スルト共ニ隨時支那政府ニ當該事實ヲ通報シ且ツ其ノ大要ヲ公表シタノヲアル王希天氏ハ九月十二日以來行方不明トナツタト云フノヲ當局ニ於テ極力搜査ヲ續ケテ居ルノヲアル

右以外ノモノハ嚴重ニ調査シタノヲアルカ其ノ事跡カ未タ明瞭ヲナク尙引續イテ取調中ヲアル

交通入港條約ニ關スル代表者會議

第二回交通總會

第二回交通總會ハ國際聯盟ノ招請ニ依リ本年十一月十五日ヨリ十二月九日マテ瑞西國「ジュネーヴ」ニ開催セラレ日英佛伊等四十箇國ノ代表者列席セリ

交通總會ハ國際聯盟規約第二十三條（ホ）號ノ交通及通過ノ自由ヲ確保スルノ方法ヲ講セムカ爲ニ開催セラルルモノニシテ其ノ第一回ハ大正十年三月ヨリ四月ニ亘リ西班牙國「バルセロナ」ニ於テ開催セラレ自由通過條約及國際河川條約ヲ審議協定シ右二條約ハ之ヲ批准セル國ノ間ニ既ニ實施セラレ居レリ我國ハ河川條約ニハ署名シ居ラサルモ通過條約ニ署名シ居リ最近其ノ御批准手續ヲ了セリ今回ノ第二回交通總會ニ於テハ鐵道條約、海港條約、電力通過條約及水力利用條約ヲ審議協定シ多數國ハ既ニ之ニ署名調印セリ我全權委員ハ海港條約ニハ既ニ署名セルカ其ノ他ノ條約ニ付キテハ帝國ノ如キ我國ニ利害關係緊密ナラス旁多少考慮ヲ要スル點アルニ付審議ノ上、追テ同樣ノ措置ニ出ツヘシト推察セラル此等ノ四條約ハ聯盟理事會ノ承認ヲ經タル後各國ニ其ノ謄證本ヲ送付シ既ニ署名セル國ニ對シテハ署名及批准

[illegible]ルハ通トカルベシ自由通過條約、國際河川條約ハ鐵道條約及海港條約ハ國際聯盟規約第二十三條（ホ）號ノ目的ヲ實現セムコトヲ期スルモノナルト共ニ對獨平和條約第三百七十九條對墺平和條約第三百七十一條等ニ於テ其ノ編纂ヲ豫見セラレ居ルモノナリ[illegible]

左ニ鐵道條約、海港條約、電力通過條約及水力利用條約ノ內容ヲ解說セム[illegible]

一、鐵道條約

鐵道ノ國際聯絡ニ關シ二三箇國ニ協定ヲ遂ケタルコトハ從來其ノ例多ク殊ニ歐洲大陸諸國間ニ[illegible]

[illegible]鐵ノ「ベルヌ」條約ノ如キモノアリ今回成立セル鐵道條約ハ主トシテ既存ノ鐵道條約中ノ原則ニヲ抽出編纂セルモノニシテ既存ノ部分的ナル鐵道條約ニ對シ一般的條約タルノ性質ヲ有ス但シ交既存ノ條約ヲ變更スルノ效力ヲ有スルコトナク單ニ締約國ハ既存條約ノ有效期間滿了ニ當リ之ヲ一般的鐵道條約ニ適合スルヤウ修正スベキコトヲ約スルニ止マル

鐵道條約ハ鐵道ニ依ル國際交通ノ圓滑利便ヲ期スルモノニシテ又鐵道運輸ニ於ケル通商衡平待遇ヲ期ス其ノ大半ハ技術的規定ニシテ直通運輸、直通列車、國境停車場ノ合同、鐵道國際運輸ニ對シ鐵道經營業ノ與フヘキ諸般ノ便宜、運輸ノ迅速正確便利、鐵道運輸杜絕セル場合ニ執ルベキ措置、旅客及旅券手續ノ簡捷、客車貨車ノ國際的相互利用、運送契約ノ內容タルベキ事項、鐵道經營者相互間ノ會計決算方法等ニ關スル規定ヲ設ケタリ但シ其ノ技術的事項タルト又必然鐵道經營者ノ新ナル出費ヲ必要トスベキ事項ナルニ鑑ミ其ノ規定ハ概ネ概括的指針ヲ與フル程度ニ於テ締約國ヲ拘束スルニ止マリ締約國ニ特定明確ナル義務ヲ絕對的ニ負擔セシムルモノ少シ[illegible]

交通總會ニ於テ最モ問題トナリシハ貨率及運輸上ノ便益供與ニ關スル衡平待遇ノ問題ナリシガ結局鐵道國際運輸ニ於ケル貨率及便益ニ對シ衡平待遇ヲ保障スル趣旨ノ規定ヲ設ケタリ尙右貨率ニ關スル衡平待遇ノ保障ハ海陸連絡貨率ニモ適用アリ又海陸連絡ノ國際運輸ノ場合ニ於テ其ノ鐵道ノ部分ニ適用アリ[illegible]

右ノ外本條約中ニハ平和諸條約トノ關係、條約ノ解釋及適用ニ關スル紛爭解決方法、戰時ニ於ケル本條約ノ效力、國家ノ安全ニ影響アル事變ノ場合ニ於ケル本條約ノ適用除外其ノ他ニ關スル規定ヲ設ケタリ[illegible]

二、海港條約

海港ニ於ケル船舶ノ取扱ニ付キテハ從來二國間ノ通商條約中ニ規定ヲ設クルヲ例トセルカ今次ノ交通總會ニ於テ一般的海港條約ニ依リ海港利用ノ問題ヲ協定セリ本條約ハ第一回交通總會ニ

於テ協定セル河川條約中ノ河港ニ關スル規定ヲ基礎トシテ立案作成セルモノニシテ本條約ニ於テ海港ノ自由出入及海港ニ於ケル內外船舶ノ平等待遇ノ二大原則ヲ確立セリ但シ本條約ニ海港ト所謂開港ニ限リ不開港ヲ包含セス

海港ニ於ケル平等待遇ノ原則ハ海港ニ於ケル一切ノ便益ニ及フヘキモノニシテ例ヘハ岸壁ニ於ケル繫留所ノ分配、荷積荷卸ノ便宜、噸稅、港稅、檢疫稅其ノ他ノ課金、其ノ他萬般ノ事項ニ及フ尤モ海港ノ自由利用及海港ニ於ケル平等待遇ハ相互ノ條件ノ下ニ許與スルモノニシテ條約國ハ他ノ一締約國カ本條約ノ規定ヲ實行セサルトキハ其ノ國ノ船舶ニ平等待遇ヲ許與セサルコトヲ得

內外船舶平等待遇ノ原則ハ更ニ特別ノ條文ニ依リ關稅及鐵道賃率ニ及フ即チ關稅及類似ノ稅、入市稅、消費稅並貨物ノ輸出入ニ際シ徵セラルル附帶的料金ノ決定及適用ニ付キテハ船舶ノ國籍ニ依リ差別ヲ設クルコトヲ得ス又船舶ニ依リ輸送セラルル貨物ニ付キテハ其ノ鐵道輸送ニ際シテモ鐵道條約中ノ鐵道國際運輸貨率ニ關スル衡平待遇ノ規定ヲ援用シ衡平ナル賃率ヲ許與スルノ義務ヲ負ハシムシ

右ノ外本條約中ノ重要ナル條項及右ニ關聯シ決定セル事項左ノ如シ

(イ) 沿岸貿易ニ關シテハ之ヲ成ルヘク廣キ範圍ニ於テ自國船舶ノ爲ニ留保セムトスル主義トシ之ヲ全部外國船舶ニ開放セシムルヲ要ストスルモ其ノ自國船舶ニ留保シ得ヘキ範圍ヲ成ルヘク本タ局限セントスルノ主義トシ乎ロ後者ハ沿岸貿易ノ定義ヲ局限的ニ條約中ニ挿入セムコトヲ主張シ前者ハ之ニ反對セルカ結局條約中ニハ「本條約ハ沿岸貿易ニ適用ナシ」トノ一條ヲ置キ別ニ勸告ノ形式ニテ締約國ハ沿岸貿易ノ範圍ヲ不當ニ擴張セサルヘキコトノ希望ヲ表白セリ

(ロ) 本條約中ニハ締約國ハ本條約ノ署名又ハ批准ニ當リ本條約ヲ其ノ植民地ニ適用セサルヘキコトヲ宣言シ得ル趣旨ノ規定ヲ設ケタルモ(同樣ノ規定ハ鐵道條約中ニモアリ)最終議定書ニ於テ締約國ハ能フ限リ廣キ範圍ニ於テ本條約ヲ其ノ植民地ニ適用スヘシ又植民地ノ大ナル港ニ於テ現ニ外國船舶ニ供與スル便益ハ之ヲ維持スヘキコトヲ勸告セリ

(ハ) 英本國ト其ノ植民地トノ關係ニ對スル本條約適用ノ問題ハ稅關手續會議ニ引續キ問題トナレルカ英國委員ハ內外船舶平等待遇ハ英國ノ國是ナル旨ヲ宣明シ會議ハ英國ノ如ク本條約ノ締約國タル自治領ヲ海外ニ有スル國ニ於テハ其ノ本國及領土ノ港ニ於ケル外國船舶ト本國船舶及ハ外國船舶ト自治領船舶トノ間ニ差別的取扱ヲナサルヘキコトヲ勸告セリ

(ニ) 伊太利委員ノ提案ニ依リ移民待遇ヲ自國領域ニ留保シ得ル趣旨ノ規定ヲ設ク

(ホ) 奥地業務水先案内ニ付キテハ前述衡平待遇ノ原則ニ從フ外締約國ハ任意其ノ他方法ヲ定メ得ヘキコト

(ヘ) 本條約ハ漁撈ニ適用ナシ

(ト) 締約國カ其ノ港ノ一定地域ニ於テ其ノ港ヲ通過港トスル無海岸國ニ特殊ノ便益ヲ供與スルコトアルモ他ノ締約國ハ此ノ便益ニ均霑スヘキコトヲ主張スルコトヲ得ス

(チ) 本條約ハ軍艦公船ニ適用ナシ

(リ) 本條約ト平和諸條約トノ關係、本條約ト既存條約トノ關係、條約ノ解釋及適用ニ關スル紛爭ノ解決方法、戰時ニ於ケル本條約ノ效力、國家ノ安全ニ影響アル事變ノ場合ニ於ケル本條約ノ適用等ニ關スル規定ヲ設クルコト鐵道條約ニ同シ

三、電力通過條約及水力利用ニ關スル條約

本件ハ鐵道制度又ハ海港制度ノ如ク從來之ニ關スル國際條約存在シ之ニ關スル大體ノ原則定マリ居ルモノトハ其ノ類ヲ異ニシ全ク新規ノ事項ニ屬スルヲ以テ本件ニ關シ今日直ニ詳細ナル實質的規定ヲ設クルコト不可能ナルニ付本件二條約ハ國際的電力通過及水力利用ニ關シ關係國間ニ條約締結商議ヲ爲スノ義務ヲ負ハシムルニ過キス會議ニ於テハ斯ル義務ヲ負ハシムル爲條約ヲ締結スルコトハ無意義ナルヲ以テ之ヲ勸告トスヘシトノ議論モアリタレトモ結局列國ノ互讓ニ依リ此ノ種ノ條約ヲ締結スルニ至レルモノトス

右商議ヲ爲スヘキ義務以外本件二條約中重要ナル規定左ノ如シ

(イ) 國際的電力通過問題及國際的水力利用問題ノ考慮ハ專ラ技術的見地ヨリ爲スヲ要シ政治的考慮ヲ加フヘカラス

(ロ) 電力通過稅ヲ徵スヘカラス

(ハ) 電力通過條約ノ條項ハ土地收用又ハ地役權ノ設定ヲ强制セス

(ニ) 本條約ト平和諸條約トノ關係、本條約ノ解釋及適用ニ關スル紛爭解決方法其ノ他ノ規定ヲ存スルコト鐵道條約、海港條約ニ同シ

附錄

一　第四十六議會ニ於ケル內田外務大臣ノ演說

大正十二年一月廿三日

諸君　第四十六議會開會ニ際シマシテ茲ニ我對外關係ニ付キ聊カ所見ヲ披瀝スルノ機會ヲ得マスコトハ私ノ甚タ光榮トスル所デアリマス

之ニ先チマシテ一言申述ヘタイノハ昨春英國皇太子殿下ノ御來朝ノ事デアリマス殿下ノ御來朝ハ一昨年我皇太子殿下ノ御渡英ト相俟ツテ洵ニ昭代ノ盛事デアリマシテ英國トノ友好關係カ一層鞏固ヲ加ヘタコトハ我々ノ深ク感銘スル所デアリマス

諸君　世界ノ大戰爭カ人類一般ニ與ヘタ影響ハ有形無形洵ニ甚大ナルモノアルハ今更ヲ申スマテモアリマセヌ世界ニ國家ヲ成スモノハ此ノ異常ナル事實ヲ無視シテ其ノ國策殊ニ對外政策ヲ樹立スルコト能ハサルハ當然ノコトデアリマス帝國政府ハ帝國カ東洋ノ先進國タリ又世界ノ主要列强ノ一タル地位ニ應シ其ノ國權ノ維持國運ノ伸張ヲ念トスルト共ニ大戰後ニ於ケル國際上ノ最高ノ

使命タル世界的平和政策ニ向フテ努力スルコトヲ以テ我外交方針トスヘキモノト考ヘマス從テ英米佛伊等ノ各聯合國ハ勿論其ノ他ノ親交國ト益々協調ヲ維持シテ我國ノ國際信用ヲ一層向上セシメ國家ノ權威ヲ此ノ上共鞏固ニシテ我國民ノ對外經濟的發展ヲ圓滑ナラシメ以テ其ノ福祉幸福ヲ增進スルト共ニ世界人類ノ生活安定ニ貢獻セムト欲スルモノデアリマス而シテ此ノ方針カ帝國ノ利益ト名譽トニ最モ合致スル所デアルノミナラス歐米諸列强ノ方針モ近來多少反動的氣分カナイデモアリマセヌカ大局ニ於テ其ノ軌ヲ一ニスルモノト信シマス

列强ノ方針カ最モ有效ニ顯ハレマシタノハ即チ華盛頓會議デアリマス此ノ會議ニ骨キ我政府ノ特ニ重キヲ置クハ同會議ノ具體的產物ノ外內ニハ國民ノ負擔ト懸念トヲ減シ外ニハ列國ノ了解ト親愛トヲ增シタコトデアリマシテ殊ニ英米兩國トノ關係カ之カ爲メ益々鞏固ナル基礎ニ置カレタコトハ最モ顯著ナル事實デアリマス從ツテ政府ハ華盛頓會議ニ於テ成立シタ條約決議等ノ速カニ實施セラルルコトハ即チ帝國ノ利益ニ最モ能ク合致スル所以デアルコトヲ確信シマシタカラ遲滯ナク必要ノ手續ヲ取運ヒマシテ昨年八月海軍制限條約ヲ始メ諸條約ノ御批准ヲ經マシタ英米兩國ノ批准手續モ既ニ完了シテ今ハ主トシテ佛伊兩國ノ手續完了ヲ俟ツノミトナツテ居リマス世界平和ノ大局上ヨリ兩國ニ於テモ速カラス批准ヲ見ルコトト信シマス

歐洲ニ於テハ獨逸賠償問題聯合國間債務整理問題近東問題及露國問題等其ノ重要ニ伴フ幾多ノ難問題ヲ横ハツテ居リマス聯合國ハ此等問題ノ爲メ屢々會議ヲ開キ交渉ヲ重ネ現ニ近東問題ノ如キハ昨年十二月下旬ロー港西國「ローザンヌ」ニ於テ帝國モ關係諸國ト共ニ平和條約ヲ審議中デアリマスカ種々ノ理由ニ依リ斯ノ如キ世界平和ニ大關係ヲ有スル各般ノ問題カ未タ解決ヲ見ナイノハ頗ル遺憾トスル所デアリマス殊ニ最近佛白兩國ハ獨逸「ルール」地方ニ對シ或ル行動ヲ執ルニ至リマシタ其ノ結果ハ場合ニヨツテハ極メテ重大ナ事態ニ立チ至ラストモ限リマセヌ政府ハ世界平和ノ見地ニ立チ能ク經過ヲ注意スル考デアリマス

露國ニ對シテハ帝國ハ夙ニ內政不干涉ノ根本方針ヲ以テ之ニ在ミ其ノ政情ノ安定ヲ俟ツテ成ルヘク關係諸國ト協調シテ諸種ノ問題ヲ解決致シタイ方針デアリマシテ現ニ「ゼノア」會議海牙會議等ニモ參加シマシタカ彼ノ極東共和國成立中ハ特ニ同國ト速カニ通商關係ヲ開キ直チニ西伯利ヨリ軍隊ヲ撤退スルコトヲ得策ト信シマシテ我代表ハ齊多創代表ト大連ニ會商シマシテ數箇月ノ長キニ亘ツテ通商再開ノコトヲ交渉シマシタケレトモ遂ニ不調ニ終リマシタカ帝國政府ハ極東露領ニ於ケル政情モ漸次安定ニ赴クヘク徵候ヲ看取シマシタカラ昨年十月末ニ沿海州ヨリ全部撤兵スルコトニ決シマスト同時ニ極東共和國トノ間ニ於テ通商關係復活ノ爲メ更ラニ努力スルコトニ決シ

マレテ大連會議ヲ既ニ纏ツタ部分ヲ骨子トシテ交渉スルト云フ條件ヲ更ラニ長春ニ於テ彼我代表間ニ折衝ヲ重ネマシタ處カ我方ニ於テ十分安讓ノ態度ヲ示シタニ拘ラス會議ハ結局決裂ニ至リマシタノハ遺憾トセサルヲ得ナイノデアリマス併シ帝國政府ハ聯定ノ通リ沿海州北滿洲等全大陸ヨリ昨年十月末ヲ以テ全部撤兵致シマシタ我對露政策ハ今申述ヘマシタ通リ終始公正ノ方針ニ出タモノデアツテ特ニ我軍隊ノ撤退斷行ハ雖テノ我宣言ニ適合スルモノデアツテ我誠意ノ存スル所ヲ十分内外ニ宣明シ得タト信スルノデアリマス我撤兵後間モナク極東共和國ハ勞農露國ト合併シ其ノ獨立ノ存在ヲ失フコトトナリマシタカ何レニシテモ歐露並ニ西伯利ノ狀況ノ益々安定シ露國側モ尼港事件ノ責任ヲ正當ニ了解シ從來ノ態度ヲ改メテ誠意ヲ披瀝シ茲ニ通交開始ノ機運ノ促進セラレムコトヲ希望ニ堪ヘヌ次第デアリマス

帝國ノ支那ニ對スル根本方針ハ支那内政ニ關シテハ飽クマデ不干渉不偏不黨ノ態度ヲ執リ進ンテ支那人自身ノ自覺向上ヲ援助シ速カニ支那全體ノ圓滿ナル統一發達ヲ期シ以テ平和的經濟的ニ同國ト提携セムトスルニアルハ幾度カ聲明セラレタ所デアリマス華盛頓會議ニ於テ成立シマシタ九國條約及決議並ニ關稅條約モ其ノ精神トスル所ハ全然此ノ帝國根本方針ニ合スルモノデアリマスカラ帝國政府ハ華盛頓會議ニ於テ成立シタル他ノ條約ト共ニ何等ノ躊躇ナク實施手續ヲ進捗シ英米モ日本ト同樣ノ準備ヲ終リマシテ今日ニ於テハ主トシテ佛伊ノ手續完了ヲ俟ツノミニナツテ居ル次第ハ前ニ述ヘタ通リデアリマス佛伊兩國ト雖モ支那ニ關スル條約並ニ決議ノ主旨ニハ固ヨリ何等異議カアルト信シラレマセヌ關稅條約ニ基ク支那關稅現實五分改訂實施ニ對シテハ既ニ同意ヲ表シマシテ本月十七日ヲ以テ愈々支那關稅モ現實五分引上ケカ實行セラレ且ツ又華盛頓會議ニ於ケル決議中支那ニ於ケル外國郵便局撤廢ノ件ニ付イテモ關係國タル日英米佛四箇國ハ決議ニ示シタ通リ撤廢スヘキ郵便局ハ昨年末マテニ撤廢ヲ完了シマシタ次第デアリマス

而シテ他方多年日支間ニ不愉快ナル懸案トナツテ居リマシタ所謂山東問題ハ曩ニ華盛頓ニ於テ成立シタ日支條約ニ基キ北京ニ於テ昨年六月以來細目ノ協定ヲ進メテ十二月初旬交渉ヲ終リ茲ニ帝國カ世界戰爭參加ノ際宣言シ其ノ後度々聲明セル通リ膠州灣租借地行政權ハ圓滿ニ支那側ニ引渡ヲ了シタ次第デアリマス過去數年ニ亘リ困難ナ國際問題トセラレタ山東問題モ帝國ノ當初宣言ノ通リ之ヲ解決スルコトヲ得マシタノハ日支國交ニ多大ノ貢獻ヲナスノミニ止マラス帝國ノ國際間ノ信用ヲ高ムルノ所以ナルコトヲ信シテ疑ヒマセヌ日支兩國國交ハ帝國ノ根本方針ヨリ出テタル誠意ノ徹底ニ伴ヒ政治的ニ將又通商的ニ漸次新生面ヲ啓カムトスルノ機運ニ達シテ居リマス帝國ハ勉クマデ從來ノ方針ヲ以テ進ミ支那人民ニ對シテ同情ト援助トヲ吝マナルニ於テハ必スヤ日支

FOREIGN MINISTER'S SPEECH AT THE 46TH SESSION OF THE IMPERIAL DIET.

Gentlemen,

I deem it a special privilege to come before you to make a statement concerning our foreign relations. Before doing so, however, I must refer to the very auspicious occasion of the visit of the Prince of Wales last spring, which, with the visit of our Crown Prince to the British Isles in the previous year, has accentuated the traditional friendship that has so long existed between our two countries. We feel a great debt of gratitude to His Royal Highness for the honour of his visit.

Gentlemen, the general effects, both material and moral, which the Great War has had upon the world are so far-reaching that any nation must take them into consideration in framing its national as well as foreign policy. Our Government, mindful of Japan's position as the preceding nation of the Great and one of the world's principal Powers, should not only have constant regard for the country's rights and prosperity but should be guided also by a desire to contribute towards a constructive policy of international peace, which is the highest post-war mission of this and other nations. On the one hand, it is our duty to co-operate with Great Britain, the United States, France, Italy, and other friendly nations in order to enhance our prestige, confirm our position, and accelerate the economic expansion of our people abroad, thereby promoting their welfare and happiness. On the other hand, it is our duty to put forth our best efforts towards the stabilization of human affairs. This policy, I believe, is in keeping and harmony at once with our national honour and our interests. The policies of the European and American nations, although there have been some reactionary movements, are, on the whole, along the lines I have indicated.

The Washington Conference gave emphatic testimony to the fact that the policy of the Powers is one of peace. The Government places the greatest importance upon this Conference not only because of its concrete results but because it lessens the burdens and dissipates any anxiety that existed among the people and because of its achievements in developing understanding and friendship among the nations. Most notable is our relationship with Great Britain and the United States, which, through the Conference, have been put upon a still closer and surer foundation. In view of these achievements, the Government considered it as best suiting the interests of the country to see

that the various treaties and resolutions signed at the Conference were speedily put into force, and no time was lost in taking the necessary measures for effecting their ratification, which took place in August of last year. Both Great Britain and the United States have likewise taken steps to ratify these agreements, and it now remains only for France and Italy to do the same. I am confident that these two Powers will take similar action in the interest of world peace.

The nations of Europe are troubled with many difficult questions, as for instance the Reparations question, the question of the Inter-Allied Debts, the Near Eastern question, and the question of Russia. Many conferences have been held by the Allied Powers prior to the one now in session at Lausanne, Switzerland. To each of these conferences Japan has sent representatives, and it is deeply to be regretted that, for many reasons, these problems, which have such important bearing upon the general peace of the world, have not yet been solved. Recently, France, in co-operation with Belgium and Italy, has deemed it proper to take certain action in the Ruhr district of Germany. This action may lead to a grave situation, and the Japanese Government, constantanly mindful of the importance of peace, is paying close attention to the development.

Towards Russia Japan has always followed the fundamental policy of non-interference in internal political affairs. We hope that, as soon as political conditons in that country are stabilized, we may be able to settle various questions, maintaining accord with the other nations concerned. While the Far Eastern Republic was still in existence, Japan sought to open commercial relations with that country and promptly to withdraw her troops from Siberia. Our representatives met those of the Chita Government at Dairen and negotiated for several months with a view to re-opening commercial relations with Siberia; but the Conference came to no agreement. Political conditions in the Far Eastern Republic having shown indications of gradual improvement, the Government decided to withdraw all Japanese troops from the Maritime Province at the end of last October and at the same time to endeavour once more to receive commercial relations with that Republic. On condition that negotiations should be conducted on the basis of those agreements which were reached at Dairen, our representatives met with the Russian representatives at Changchun. But the friendly and conciliatory attitude of our representatives was not reciprocated by the Russians, and the Conference adjourned without an agreement being reached. The Japanese Government, nevertheless, carried out their decision to withdraw their troops entirely from Siberia and North Manchuria.

From the beginning our Russian policy has been animated by a spirit of fairness; and the withdrawal of our troops, in conformity with our previous declarations, amply demonstrated the sincerity of our intentions. Soon after our withdrawal the Far

Eastern Republic, having been incorporated with Soviet Russia, ceased to have an independent existence. It is the earnest hope of our Government that conditions, both in European Russia and in Siberia, will soon be stabilized, and that Russia will properly appreciate its responsibility for the unfortunate affair of Nikolaievsk and change the attitude it has hitherto maintained, so that the opening of commercial intercourse may thereby be hastened.

As regards China, it has been our fundamental policy, as repeatedly declared, strictly to avoid interference and to observe impartiality in the internal affairs of that country, and to help in the awakening and uplifting of the Chinese people in the hope that a peaceful and united China may come into being. The Government are firmly convinced that it is to the best interests of Japan to maintain this policy.

The Nine Power Treaty and Resolutions and the Customs Treaty are in spirit in keeping with our traditional policy. The Government, therefore, proceeded at once with the necessary measures for their ratification. Great Britain and the United States also having taken measures to ratify these Treaties, they are awaiting only the ratification by France and Italy. There seems to be no objection on the part of either of these countries to the Treaties and Resolutions concerning China, and these Powers have already expressed their agreement to the enforcement of the revised tariff rate for an effective five per cent, as provided in the Customs Treaty; therefore, since the seventeenth of this month, this effective five per cent tariff has been put into operation in China. As for the Washington Resolution concerning the abolition of foreign post offices in China, Japan, Great Britain, the United States, and France completed the abolition of such post offices as are provided for in that Resolution at the end of last year.

The so-called Shantung question, unfortunately protracted for so many years, was happily settled by direct negotiations between Japanese and Chinese representatives at Washington. On the basis of the Treaty concluded at Washington, the commissioners of Japan and China began negotiations last June concerning the details of the restoration, and an agreement was reached early last December. Thus the declaration made by Japan on entering the World War, and which she made repeatedly on later occasions, was entirely fulfilled with the restoration to China of the Kiaochow leasehold. That the Shantung question, which for several years was regarded as a difficult international problem, has at last been concluded along the line of Japan's original declaration, will, I am persuaded, not only greatly contribute to the good relations existing between Japan and China but will also add to Japan's prestige among the nations. As the real intentions of our policy towards China have come to be better understood by the Chinese people, the relations between Japan and China are now on the eve of a new epoch, both politically and commercially. Should Japan proceed along the line of policy so far followed and should she continue to extend friendly assistance and sympathy

to the Chinese people, it cannot be doubted that the relations between the two countries will be still further improved, and the result will be beneficial to both countries.

I hope to have occasions later to make statements in fuller detail regarding our foreign policies.

一　羅馬法王廳ヘ外交代表者派遣ニ付キ

大正十二年一月二十四日　外務當局談

政府ハ大正十二年度外務省所管ノ豫算中ニ「羅馬法王廳ニ外交代表者駐派ニ關スル經費」トシテ十一萬圓千餘圓ヲ計上シテ居ルガ其ノ内三萬五千圓ハ公使館創設ノ爲ニ要スル臨時費デアッテ爾來經常費トシテハ一年九萬六千圓位デアル此ノ公使派遣ト云フコトハ全然外交上ノ見地カラ企テラレタモノデアッテ毫モ宗教上ノ考慮ニ基ク次第デハナイガ此ノ點ニ付イテ世間ニ誤解ヲ懷ク者ノアルノハ甚タ遺憾デアル

第一　帝國ノ國際的地位ハ大戰後益々向上シテ其ノ外交關係ハ極メテ廣汎複雜トナッテ來タカラ外交機關ヲ配置スルニ當ッテモ眼界ヲ廣クシテ常ニ全世界ノ形勢ニ注意スルコトガ必要デアル殊ニ近年帝國ノ政策ガ往々外國カラ誤解セラレ世界ノ各方面ニ於テ排日運動ガ行ハレタコトモアルカラ政府トシテハ有ラユル機會ヲ捉ヘ有ラユル方法ヲ以テ日本ノ眞意ヲ各國民ニ了解セシメ誤解認想ヲ釋イテ我外交政策ノ遂行ヲ容易ナラシムルコトニ努メネバナラヌ大戰後宗教ノ勢力ハ專ラ各國ニ依ッテ認メラレ例ヘバ羅馬法王廳ニ外交使節ヲ派遣シテ居ル國ノ數モ戰前ニハ

十四箇國デアツタノカ戰後ノ今日デハ二十七箇國ニ增加シテ居ル日本政府デモ斯ノ如ク列國外交機關ノ集中セル重要ナ場所ニハ外交官ヲ派遣シテ常ニ密接ナ接觸ヲ保チ世界各國ニ亙リ三億數千萬ノ信徒ヲ有スル此ノ勢力ヲ通シテ日本ノ平和的精神ヲ各國民ノ間ニ十分了解セシムルコトハ極メテ必要デアル又日本ハ今日世界ノ大國トシテ平生カラ各方面ノ形勢ニ付イテ機敏ニ情報ヲ蒐集シテ置ク必要カアルカラ羅馬法王廳ノヤウナ各國外交官ノ集合地ト外交上ノ接觸ヲ保ツコトハ甚タ大切ナコトデアル

第二、帝國ハ羅馬法王廳ニ公使ヲ派遣スルコトニ依リ始メテ法王廳ノ國際上ノ地位ヲ認メルモノデアルカノヤウニ考ヘル者モアルカ其レハ甚シイ誤解デアル羅馬法王ハ今日世界各國カラ一國ノ元首ニ準スヘキ者ト認メラレ諸國ハ之ト外交官ヲ交換シ一種ノ約定ヲ締結シテ居ルノデアルカラ帝國政府モ夙ニ其ノ國際的地位ヲ認メ從來トテモ外交使節ノ接受派遣ヲ行ツタノデアル遠タハ明治十八年羅馬法王「レオ」第十三世ハ明治維新以來本邦ノ舊教宣教師及教徒ニ對スル我皇室ノ一視同仁ノ御保護ニ付キ謝意表明ノ爲特派使節「オスーフ」大司教ヲ我國ニ差遣シテ親書ヲ捧呈セシメタカ帝國政府カラハ答禮ノ爲明治二十年西園寺公望侯ヲ臨時特命全權公使トシテ法王廳ニ派遣セラレタ降ツテ明治三十九年ニハ法王廳ハ日露戰役中滿洲ノ「カトリック」教徒ニ對スル日本軍ノ親切ナ取扱振ヲ感謝スル爲大司教「オーコンネル」氏ヲ我國ニ派遣シテ法王ノ親書ヲ捧呈セシメ帝國カラハ答禮ノ爲當時ノ內田駐墺大使カ法王廳ニ派遣セラレタ又大正五年御大典ノ際ニハ法王廳ノ使節トシテ大司教「ペトレリ」氏來朝シ他國ノ使節ト同樣ノ待遇ヲ受ケ其ノ答禮トシテハ當時瑞西駐在ノ三浦公使カ法王廳ニ差遣セラレタ最近ニハ一昨年攝政宮殿下御渡歐ノ際殿下ハ伊國皇帝御訪問ノ後親シク羅馬法王ヲ御訪問アラセラレタノデ法王廳カラハ昨年答禮使トシテ「ヂヤルヂーニ」氏カ來朝シタコトハ世人ノ知ル通デアル故ニ帝國政府カ法王廳ニ公使ヲ派遣スルコトニナツテモ何モ法王廳ヲ國家ト認メルトカ認メヌトカ云フヤウナ問題ハ起ラヌノデアル尙羅馬法王廳トノ使節交換ハ國際法違反デアルト云フヤウナ意見ヲ發表シタモノモアルカ是レハ國際法ナルモノノ本質ニ付イテノ誤解ニ基クモノト思ハレル

第三、今日羅馬法王廳ニ外交官ヲ派遣シテ居ル國ハ「カトリック」國カ又ハ特殊ノ歷史的關係ヲ有スル國ニ限ルカラ全ク國情ヲ異ニシタ日本ハ此等ノ例ニ倣フ必要アルマイト云フ反對論モ聞クカ是レモ事實ヲ了解セヌ議論デアル今日國教トシテ「カトリック」教ヲ採用シテ居ル國ハ西班牙、「ポルトガル」ノ二國ノミデアツテ佛、獨、墺、白、蘭、伯、智等ノ諸國ハ新舊兩教相交ア

デ其國ノ如キハ特別ノ國教ヲ有シ又佛國政府ハ固ト布教正教ノ國ニアルケレトモ彼等ノ間ニ何ムモ教皇廳ト法王廳ニ外交官ヲ派遣シテ居ル日本ハ勿論信教自由ノ國ニアルカラ外交上ノ必要ニテ法王廳ニ使節ヲ駐在セシムルニ何ノ差支モナイ譯デアル

第四　前ニ述ベタ通使節派遣問題ハ全然外交上ノ見地カラ計畫サレタモノデアツテ我宗教行政上ニハ何等變更ヲ來スモノデハナイ使節派遣ノ結果我國ニ於ケル「カトリック」教徒ニ特別ノ保護ヲ與ヘルトカ其ノ布教上ニ便宜ヲ供スルトカ云フキウナコトハナイ茲ニ法王廳ノ使節カ日本ニ駐在スルコトトナツテモ是レハ外交官トシテ接受スル譯デアルカラ他ノ大公使ト同樣ノ權限ヤ特權ハ認メラレルカ自ラ日本國内ノ布教ニ從事スルコトハ許サレズニアル布教ノコトハ別ニ宣教師カ居ル之ニ當ルノデアツテ彼等ハ從前通我文部當局ノ監督ニ服スルコトハ勿論デアル從ツテ外交使節交換ノ爲我國ニ於ケル他ノ宗教ヲ壓迫スルトカ現在ノ管長制度ヲ奇ストカ云フヤウナ問題ハ起ラズ尙日本カラ法王廳ヘ派遣セラルヘキ外交官ハ信仰ノ如何ヲ問フ必要ニナイノデアル

第五　「カトリック」教ハ教會至上主義ノ宗旨デアルカラ我國體ト相容レナイ從ツテ廳局法王廳ト外交使節ヲ交換スルコトハ我國民ノ宗教思想ヲ動搖ナキコトトナル次第ノ結果日本ハ條

徒ハ法王廳ノ誡敕ニ服シ其ノ他日本ハ政治上法王廳ノ干渉ヲ受ケルコトトナルカラ危險デアルト云フヤウナ議論モ見ニルカ今日帝國憲法ハ明カニ信教ノ自由ヲ認メテ居リ「カトリック」教モ我國法上現ニ布教ヲ許サレテ居ル又法王廳ト使節ヲ交換シタカラトテ勿論法王廳ノ主權カ日本國内ニ行ハレルコトヲ認ムルモノデナイカラ誡敕トカ内政干渉トカ云フキウナコトハ今日斷ジテアリ得ヘキコトデハナイ

INTERVIEW WITH A FOREIGN OFFICE AUTHORITY CONCERNING THE PROPOSED DISPATCH OF A DIPLOMATIC REPRESENTATIVE TO THE VATICAN.

Tokio, January 24, 1923.

In the budget estimates of the Foreign Office for the fiscal year 1923-24 there is an item of ¥114,000 as expenditure for the proposed maintenance of a diplomatic representative at the Vatican. Of that amount, ¥35,000 represents a temporary expenditure required to establish a legation, and the regular annual expenditure for the maintenance of the diplomatic representative will amount to about ¥96,000 in future. The proposal is based entirely on a diplomatic point of view, and not in the least on any consideration of

religion. It is regrettable that some misapprehension should be entertained on this point.

First: As Japan's position among the nations has been progressively advancing especially since the Great War, with her diplomatic relations increasing in scope and complexity, it is necessary that, in enlarging our diplomatic machinery, we should be guided by the policy of constantly keeping a wide-visioned and vigilant eye on the situation throughout the whole world. Moreover, it behooves the Government to take available opportunities to make Japan's real intentions better known to foreign countries, so that misunderstandings may be dispelled and also that it may become easier for us to prosecute our diplomatic policy.

Since the war the influence of religion has found a renewed recognition in many countries. Before the war 14 nations were diplomatically represented at the Vatican, but the present number of such countries is 27. It is as necessary for the Government of Japan as for the Governments of other countries to maintain a diplomatic representative at such an important diplomatic centre, thus extending the country's touch with the outside world; and it is important that we should try to promote among foreigners a better and fuller understanding of Japan's pacific spirit through an influence which has over 300 million adherents scattered throughout the world.

It is also necessary for Japan, as one of the great Powers of the world, to keep herself well and promptly informed of the course of events in various quarters. Thus great importance attaches to the maintenance of such a diplomatic contact as the Vatican affords.

Secondly: It is thought in some quarters that the international position of the Vatican is to be recognized by Japan for the first time, by the dispatch of a Minister, but this is incorrect. The Pope is accorded by all countries a position which corresponds to that of the head of a State. Many countries exchange diplomatic representatives with the Vatican, and there is a sort of international agreement binding them. Like other Governments, the Japanese Government has long since recognized the international position of the papal court; in fact, there have been exchanges of diplomatic envoys between the two in the past. In 1885 Leo XIII sent to this country Archbishop Osouf as legate, bearing an autograph letter from the Pope to the Emperor, to express gratitude to His Majesty for the benign and undiscriminatory protection given to Catholic priests and believers in this country since the Meiji Restoration. To return the courtesies, the Japnese Government dispatched Prince Saionji to the Vatican in 1887, as envoy extraordinary and minister plenipotentiary. In 1906 Archbishop O'Connell visited this country with an autograph letter from the Pope tendering thanks for the kindness shown toward the Catholics in Manchuria by the Japanese army during the Russo-Japanese War; and the courtesies were returned by dispatching

to the Vatican Ambassador Uchida, then resident in Austria. On the occasion of the Imperial Coronation in 1916, the Pope was represented by Archbishop Petrelli, who received the same treatment as envoys from other countries; and Minister Miura, then in Switzerland, was sent to the Vatican to return the courtesies. More recently, the Prince Regent called on the Pope after visiting the royal family of Italy on the occasion of his visit to Europe the year before last; and Signor Giardini came to this country last year to return the courtesies. Such being the facts, the proposed maintenance of a Minister at the Vatican by the Japanese Government does not involve any such question as whether or not the Vatican should be regarded as a State. Publicity has been given to an opinion that the exchange of an envoy with the Vatican is a violation of international law, but this seems to be due to a misunderstanding of the character of this law.

Thirdly: It is further charged that since diplomatic representation at the Vatican is confined to Catholic countries or those which have special historical relations, there is no need for Japan to follow their example, because her national conditions are entirely different from theirs. This contention, too, is not in keeping with the facts. The only countries where Catholicism obtains as a national religion are Spain and Bavaria. France, Germany, Austria, Belgium, Portugal, Brazil and Chile have important Protestant as well as Catholic communities; England has a distinct national "church" and Russia was formerly devoted to the Orthodox Church. But all these countries maintain diplomatic representatives at the Vatican. There can be nothing wrong in Japan, a land of the freedom of faith, maintaining a delegate there also, with the object simply of meeting diplomatic requirements.

Fourthly: As above stated, the proposed dispatch of an envoy to the Vatican is conceived entirely from the diplomatic point of view, and can in no way affect our religious administration. There can be no such question, in consequence of the proposal, as the granting of special protection to Catholics in this country or of special facilities for their religious propaganda. When the proposal is realized, the envoy from the Vatican will be received as a diplomat; he will have the same privileges and immunities as those enjoyed by Ambassadors and Ministers from other countries; but he will not be permitted to engage in religious propaganda in this country. Such propaganda will be left to missionaries; and it goes without saying that they will remain, as heretofore, under the supervision of the Minister of Education. It follows, therefore, that the exchange of diplomatic representatives cannot have the effect of bringing pressure to bear on other religions or of impairing the position of the present Buddhist hierarchy. Nor does it matter what the religious faith of the Japanese diplomat to be sent to the Vatican may be.

Fifthly: It is contended in some quarters that as Catholicism regards the Church

as being supreme, this religion is incompatible with the national policy of Japan; that the exchange of a diplomatic representative with the Vatican will have the effect of disturbing the Japanese idea of religion; and that there is the danger of Japanese Catholics submitting to taxation by the Vatican and of Japan otherwise laying herself open to political interference by the papal court. All this is in error. The Constitution of this country expressly recognizes the freedom of faith and religion, and the propagation of Catholicism, like that of other creeds and religions, is lawfully permitted. The exchange of a representative with the Vatican cannot connote any extension of the Pope's sovereignty to Japanese territory, and it is impossible that there should be any Japanese submission to papal taxation or interference.

三　再ヒ羅馬法王廳ヘ外交代表者派遣ニ付キ

大正十二年二月一日　外務當局談

第一、帝國ノ國策上羅馬法王廳ニ我外交代表者ヲ駐派セシムルコトハ今日ノ急務ナアル三億數千萬ノ「カトリック」教徒ハ世界各國ニ散布シ羅馬法王廳ノ使節ハ又世界ノ重要ナ多數ノ首府ニ駐在シテ居ルカラ我國民ハ國運ノ發展ト共ニ現ニ各方面ニ於テ此等多數ノ信徒ト接觸シ又我外交官モ現在各國ニ於テ法王廳外交官ト親善ナ交際ヲシテ居ルノナアル將來我國民カ海外ニ發展スレハスル程「カトリック」教徒ヤ法王廳外交官トノ接觸カ益々頻繁トナル譯ナアルカラ彼等ト圓滿ナ關係ヲ維持シテ我國民ノ海外發展ヲ計ル爲ニハ法王廳ニ我外交官ヲ派遣シテ置クコトハ極メテ大切ナアル殊ニ外國ニ於ケル排日運動ヲ緩和スルニハ「カトリック」教徒ノ間ニモ帝國ノ眞意ヲ十分了解セシメネハナラヌコトヲ思ヒ又今日帝國人口政策ノ解決上最モ重要ナル海外移民ニ取リ殆ト唯一ノ捌口トモ言フヘキ南米諸國就中「ブラジル」及「アルゼンチン」等ノ國民ノ大多數ハ「カトリック」教徒ナアル事實ヲ顧ミレハ羅馬法王廳ト外交關係ヲ保ツコトノ必要モ分ルナアラウ尙又三億數千萬ノ信徒ヲ有シ且ツ二十七ノ多數ノ國カ外交官ヲ駐在セシメテ居ル羅馬法

王廳ト外交上ノ關係ヲ有スルコトカ當報ノ蒐集上如何ニ大切ナアルカトオアコトモ參言ヲ要シナイアラウ

第二　羅馬法王廳ト外交代表者ヲ交換スルコトハ決シテ我國體ニ反シ又ハ我國民思想ヲ攪亂スルモノデナイ或ハ「カトリック」教ハ其ノ教會至上主義ヲ奉スルカラ我國體ト相容レナイトノ說ヲ唱フル者モアルカ同教ノ教理ハ決シテ國家ヲ無視スルコトナク信徒ニ對シ政治上國權ニ對スル服從ヲ教ヘテ居ル「カトリック」教カ若シ我國體ニ反スルヤウナモノタトスレハ我國法上絕對ニ之ヲ禁止スヘキデアラウカ同教ハ今日現ニ適法ノ宗教ト認メラレテ居ルデハナイカ我憲法カ信教自由ヲ原則トシテ居ル以上ハ法王廳トノ外交使節交換カ何故ニ我國體ニ反スルカ了解ニ苦シム所デアル

第三　羅馬法王廳トノ外交代表者交換ノ結果本邦ノ他ノ宗教カ壓迫ヲ受ケルヤウナコトハ想像シ得ナイ日本ニ派遣セラルヘキ法王廳ノ使節ハ固ヨリ外交官デアルカラ國際慣例上我國ニ於ケル布教ニ從事スルコトハ許サレナイ「カトリック」教カ我國ニ於テ傳道上特別ノ便宜又ハ權能ヲ與ヘラレルトイフコトハ斷シテナイノデアル我國ノ佛教ハ法王廳トノ外交關係開始ノ爲ニ教勢上影響ヲ受ケル程無力ナモノトハ到底信スルコトカ出來ナイ

四　對支借款團「カウンシル」會議ノ件

大正十二年七月二日　横濱正金銀行發表

對支借款團「カウンシル」會議ハ最近巴里ニ於テ開催セラレ「サア、チヤールス、アデス」「アル、タオン、ド・ラ・シヨーム」氏「トーマス、ダブリユ、ラモント」氏矢野勘治氏ハ英佛米日各銀行團ヲ代表シテ之ニ出席セリ

該會議ハ支那ノ無擔保債務整理提案ニ關シ討議ヲ行ヒ北京關體代表者ニ對シ關係政府ノ四公使ト商議ノ上適當ノ時期ニ於テ債務整理ノ包括的計畫ヲ作成スル目的ヲ以テ無擔保又ハ近キ將來ニ擔保ノ不足ヲ來スモノト看做シ得ヘキ借款ノ全部ヲ包含スル支那ノ現存浮動債務ヲ審査スヘキコトヲ訓令セリ

次ニ借款團ノ對支一般方針ヲ熟議シ其ノ聲明ハ別報告書ヲ以テ發表スルコトニ決定セリ

新借款團「カウンシル」聲明書

對支借款團「カウンシル」ハ支那ノ經濟上及政治上ノ現狀ニ關スル在北京關體代表者ヨリノ最近ノ

電報並新聞ノ報道及論評ニ鑑ミ此ノ際借款團ノ方策ヲ概述スルヲ以テ一般公衆ニ有益ナル可シト思考ス

借款團ノ方策卽チ支那ノ經濟的及財政的事項ニ付キ國際的競爭ニ代フルニ國際的協同ヲ以テスルコトハ千九百二十二年二月六日華府ニ於テ調印セラレタル條約中ニ支那及列强ニ依リ更ニ廣汎ナル意味ニ於テ決定的ニ確認セラレ且裏書セラレタリ

前記條約ハ畢竟支那ノ主權ヲ尊重シ領土ヲ保全シ且同國ニ對シ其ノ經濟的資源ヲ開發シ竝自ラ有力ニシテ鞏固ナル政府ヲ保持スルニ自由ニシテ支障ナキ機會ヲ與ヘムトスル列强ノ約束ナリ

借款團ハ此ノ方策ヲ實現セシムルニ適當ナル機關ナリ借款團ハ永久的組織トシテ計畫セラレタルモノニ非ラス事ロ支那カ困難ナル過渡期ヲ比較的安全ニ通過シ其ノ政府ノ不安定ナル狀態ヨリ安定ナル狀態ニ推移スル爲ニ支那ヲ援助スヘキ一時的橋梁トシテ計畫セラレタルニ過キサルナリ從來既ニ達成セル所ニ依リ借款團ハ鞏固ナル基礎ノ上ニ成立シタリトノ信念ノ正當ナリシコトヲ立證シ又借款團ハ一方支那人ノ先天的感受性ト他方外國放資者ノ保證トニ對シ適當ノ考慮ヲ拂ヒツツ當初計畫セラレタル目的ヲ遂行スルモノト當然期待スルコトヲ得ヘシ

借款團ヲ組織スル財業團ノ主タル目的ハ各自國政府保護ノ下ニ支那ニ對シ借款ヲ强行シ以テ不當ノ利益ヲ收得セムトスルニアリトハ一般ニ想像セラレ又時時唱道セラレタル所ナルカ是レ事實ニ非ス却テ借款團ノ成就シタル主タル功績ハ鞏固ニ借款ヲ拒絶シ以テ外國資本ニ依賴スルニ先チ國內資本（貯蓄）ノ利用ヲ奬勵シ且國家ヲ直ニ破產ニ導ク如キ放漫ナル支出ヲ阻止シタルコトナリトス借款團ハ支那ニ於ケル健實且獨立ノ輿論ノ喚起養成ヲ助ケ竝無分別又ハ不生產的ナル外國借款ニ伴フ財的侵略ノ脅威ヲ防止シ領土保全ノ確保ヲ援助シツツアリト云フモ過言ニ非サルナリ

借款團ハ尙ホ遂行スヘキ幾多ノ事業殘存シ居リ此等事業完成セラルルマテハ其ノ各團體ハ單獨行動ノ自由ヲ復活シテ各自ノ便益ノミヲ考慮スルコトハ正當ナラサルコトヲ確信スルモノナリ且ツ此等團體ハ借款團カ支那ト十九世紀末葉ニ行ハレタル勢力範圍ノ政策トノ間ニ主タル障壁ヲ形成スルモノナルコトヲ考慮スレハ此ノ確信ヲ更ニ强ムルモノナリ各列强カ支那ノ特定地域ニ優越權ヲ行使セムトスル確定的要求ヲ提唱シタルハ實ニ此ノ時期卽チ利權獲得戰爭(Battle of Concessions)トシテ知ラルル當時ノコトナリシコトハ記憶セラルル所ナルヘシ若シ此ノ種ノ要求ニシテ持續セラレタラムカ支那ノ分割ハ續イテ實現シタルナルヘシ同樣ノ政策ヲ復活セムトスル總テノ逆行的措置ハ必スヤ同樣ノ結果ヲ齎ラスモノト豫期シ得ヘシ

貿易ノ進路ヲ發見竝開拓セムトスル必要ハ近世國民ノ間ニ益增加シツツアリ而シテ支那ハ今日

商業上ノ發展ニ對シ最モ宏大ナル未開市場ヲ提供スルモノナリ若シ借款團カ現ニ實行スル抑制ト協同行爲トヲ除去セムカ相互ニ競爭場裡ニ立テル個々ノ代理業者カ强壓手段ニ訴フルコトハ免レサルヘシ其ノ結果支那各地ニ於ケル自國民ノ獲得セル投下利益保護ノ爲各外國政府ノ干涉ヲ招ク

コトアルヘク支那ニ對シ有害ナル結果ヲ齎スヘキ勢力範圍ハ再ヒ確立スルニ至ルヘシ

列强カ個別的ヨリハ寧ロ一體トナリ又相互ニ競爭スルヨリハ寧ロ協同シテ支那ト折衝スルコトハ支那ノ爲一層有利ナリ支那カ將來他國民ノ如ク特定擔保又ハ使途監督ニ依ルノ必要ナク其ノ國民的信用ノ力ニ依リ其ノ所要額ヲ借入ルコトヲ得ルニ至ルマテ支那ノ信用建設ニ助力スルコトハ借款團ノ目的ノ一ナリ而シテ其ノ時期ニ到達セハ借款團ノ解散ヲ談スルニ足ルヘク其ノ時期到來スルマテハ借款團ハ現狀ヲ持續シ各國政府ノ承認ト援助ニ依リ隱忍以テ引續キ其ノ負荷セル職分ノ

完成ヲ期セサルヘカラス

支那內政ニ干涉スルコトヲ避クルハ借款團ノ確定方針ナリ同國ニ於ケル現時政治上ノ騷擾ハ政治

借款ニ對スル借款團ノ提案ヲ直ニ實現セムトスル希望ヲ阻止ス然レトモ事情ハ甚タ急激ニ變化ス

ルヲ以テ借款團ハ支那ニ於テ政治上ノ和平及安固ノ程度カ確乎タル政府樹立ノ見込ヲ相當ニ立テ

得ル位ニ達スヘキ時期アルコトヲ豫想シ常ニ活動ニ對スル準備ヲナシ置カサルヘカラス

鐵道借款ヲ包含スル實業借款ハ別個ノ範圍ニ屬ス若シ相當ナル擔保ヲ獲得スルコトヲ得ハ鐵道交

通ノ進展ハ鐵道其レ自身カ政治的統一上有效ノ機關ナルニモ顧ミ何等同國ノ政治問題ノ解決ヲ待

フヘキ理由ナカルヘシ

支那ノ財政改革ニ關スル企畫ノ要訣ハ浮動借款ノ整理ナリト認メラル而シテ在北京各團體代表者

ハ現ニ該整理ニ關スル企畫ヲ考慮中ナリ

支那國民ノ一部ニハ借款團ノ目的ハ何等カノ方法ニ依リ支那ノ財政及鐵道ノ管理權ヲ獲得セムト

スルニアリトノ臆想ヲ懷ケル者アルカ如シ若シ果シテ斯ノ如キ臆想存ストセハ是レ各團體側ニ於

テ發表セル凡テノ聲明書ヲ誤解スルニ起因スルモノナリ

支那內政ノ干涉ハ借款團ノ綱目ニ存在セサルコト支那ノ財政改革ハ支那自身ニ於テ之ヲ爲ササル

ヘカラサルコト及借款團ノ職分ハ支那政府ノ要請アルニ於テハ其ノ經濟上及財政上ノ平衡ヲ回復

スル爲援助ヲ試ムルノミナルコトハ再三聲明セル所ナリ

外國放資者—借款團ハ之ト部分的信託ノ關係ヲ有セリ—カ其ノ借款資金ノ適當ニ費消セラレ且元

本ノ期日ニ相違ナク返還セラルルコトヲ覺ルヤテハ此等放資者ニ對シ支那公債ノ應募ヲ求ムルコ

ト無益ナルヘシ之カ爲一定ノ監督ヲ必要トスルコトハ爭フヘカラサル所ナルモ其ノ監督タルヤ外

國公債ノ發行ニ缺クヘカラサル程度ノ保證ヲ與フルニ實際必要ナル最小限度ヲ超ユヘカラサルコ

ト勿論ナリ

借款團ノ方針ハ總テノ外部的干渉ヲ漸次消滅セシメ且借款ノ債務及使途ニ關スル管理ヲ悉ク支那自身ノ手ニ歸セシムルニ至ルヤウ支那ノ一般信用ヲ安固ナル基礎ノ上ニ建設スルヲ援助スルニ在リ支那國ノ他ノ歳入カ擔保トシテ不足ナルコト明カナルカ又ハ既ニ全部提供セラレタルトキハ地租カ將來續政治借款ニ對スル擔保ノ資料タルベシトノ提議ニ關シ支那ニ於テ多少誤解アルモノノ如シ該提議中ニハ地租ノ徵收ヲ海關稅ノ徵收方法ニ倣ヒ改正シ之ヲ外國人監督ノ下ニ置クベシ等ノコト全然之ナキノミナラス未タ斯ル討議スラ行ハレタルコトナシ地租ノ徵收ニ外國人監督制ヲ採用又ハ地租ヲ特定擔保トスルコトハ何レモ千九百二十年十月紐育ニ於ケル借款團會議ノ決定ノ範圍內ニ屬セナル所ニシテ地租ヲ擔保トスル借款計畫ハ當時ニ於テモ又現時ニ於テモ借款團ノ考慮シ居ラサル所ナリ

MEETING OF THE COUNCIL OF THE CHINA CONSORTIUM.

Published by the Yokohama Specie Bank on the 2nd July, 1923.

A meeting of the Council of the China Consortium was held in Paris recently, at which were present C. S. Addis, R. Th. de la Chaume, Thomas W. Lamont and Kanji Yano, representing the British French American and Japanese Groups respectively.

A discussion ensued on the proposed consolidation of China's unsecured obligation and instructions were issued to the Groups' Representatives at Peking to examine, in consultation with the Four Ministers of their respective governments, the existing floating debt of China, including all loans which are unsecured or of which the security seems likely to prove inadequate in the near future with a view to formulating in due course a comprehensive scheme of debt consolidation.

The Council had next under consideration the general policy of the Consortium in China a statement of which it was decided to publish in the form of a separate Report.

STATEMENT ISSUED BY THE COUNCIL OF THE CHINA CONSORTIUM.

Paris, May 28, 1923.

The Council of the China Consortium having under review recent telegram from their representatives in Peking as well as press message and comments bearing upon the present economical and political situation in China considers that a general statement of the policy of Consortium may be at this time of interest to the Public.

The policy of the Consortium, namely the substitution of international co-operation for international competition in the economic and financial affairs of China, has been definitely affirmed and endorsed in a large sense by China and the Powers in the

Treaty signed at Washington on February 6, 1922.

The Treaty is in effect an undertaking by the Powers to respect the sovereign rights of China, to preserve her territorial integrity and to provide her with a free and unembarrassed opportunity to develop her economic resources and maintain for herself an effective and stable government.

The Consortium is an appropriate instrument for giving effect to this policy. It is not designed as a permanent organisation, but rather as a temporary bridge by which China may be assisted to pass in comparative safety through the difficult period of transition from an unsettled to a settled state of government.

What has already been accomplished appears to justify the belief that the Consortium has been constructed on sound lines, and may reasonably be expected to fulfil the purpose for which it was designed with due regard to the natural susceptibilities of the Chinese on the one hand and the security of the foreign investor on the other.

It is popularly supposed, and occasionally asserted, that the main object of the financial Groups composing the Consortium is to harvest undue profits reaped from loans forced upon China under the protection of their respective governments. This is not the case. On the contrary it has been by their consistently refraining from lending that their principal success has been achieved in encouraging the utilisation of native savings before recourse is had to foreign capital, and in arresting the profligate expenditure which was heading the country straight for bankruptcy. It is not too much to say that the Consortium has helped to stimulate and foster a sane and independent public opinion in China, and, by putting a stop to the menace of financial penetration arising from indiscriminate and unproductive foreign borrowings, is helping to conserve the integrity of the country.

Much still remains to be done, and until their work has been accomplished the several Groups of the Consortium are convinced that they would not be justified in having regard merely to their own convenience by resuming their freedom of independent action. They are reinforced in this conviction by the consideration that the Consortium appears to form the chief barrier between China and the policy of Spheres of Interest which prevailed during the last decade of the XIXth century. It will be remembered that it was during that period, known as the "Battle of the Concessions," that definite claims to exercise preferential rights over specific geographical areas of China were advanced by different Powers. If these claims had been maintained the disintegration of China must have followed. Any backward step towards the resumption of a similar policy might be expected to produce similar results.

The pressure upon modern nations to discover and develop outlets for their trade is increasing, and China presents to-day by far the largest undeveloped field for commercial expansion. If the restraint at present exercised by the co-operative action of

the Consortium is removed, the resort to the pressure of individual agents in competition with each other would appear to be inevitable. From that it might well be but a step to the intervention of foreign governments in order to protect the vested interests acquired by their nationals in different parts of China, and Spheres of Interest, with consequences disastrous to China, would once more be established.

It is more in the interests of China for the Powers to deal with her as a whole rather than separately, in co-operation rather than in competition with one another. It is the aim of the Consortium to assist China in the building up of her credit until some day like other nations she can borrow for her requirements on the strength of her national credit, without the necessity of recourse to specific security or supervision of expenditure. When that day comes it will be time enough to talk of disbanding the Consortium. Until then the Consortium must remain intact and, with the approval and support of the Governments, continue to perform with patience the functions assigned to it.

It is the settled policy of the Consortium to refrain from interference in the internal political affairs of China. The present political upheaval in that country precludes the immediate hope of giving practical effect to any Consortium proposals for an administrative loan. Conditions, however, change so rapidly that the Groups must always stand prepared for action in anticipation of the time when China shall have again attained

to such degree of political peace and security as to afford a reasonable prospect of a stable government.

Industrial Loans, in which railway loans are included, are in a different category. Provided adequate security can be obtained there seems to be no reason why the further development of railway communication in China, in itself a potent means of political unification, should wait upon the solution of her administrative problem.

It is recognised that an essential part of any scheme for the financial reorganization of China is the consolidation of the floating debt and a scheme for such consolidation is at present under consideration by Group representatives in Peking.

A certain portion of the Chinese public appears to be under the delusion that in some way or other the object of the Consortium is to obtain control of China's finances and railways. If such a delusion really exists, it can only be due to a mistaken reading of every public announcement which has been made on the part of the Groups.

It has repeatedly been stated that interference with the domestic politics of China has no part in the programme of the Consortium, that the reorganisation of China's finances must come from China herself, and that the role of the Consortium is limited to an endeavour to assist the Chinese Authorities, if requested to do so, in re-establishing economic and financial equilibrium.

It would be futile to ask the foreign investor, to whom the Consortium stands in

the relation of quasi-trustee, to subscribe to a Chinese loan until he is satisfied that its proceeds will be properly expended and his capital duly returned to him at maturity. It is indisputable that this necessitates some measure of supervision, but no more control than the minimum actually required to provide the adequate degree of security without which it would be impossible to issue a foreign loan.

It is the policy of the Consortium to assist in building up the general credit of China on such secure foundations that all outside intervention may be gradually eliminated and the entire control of loan service and expenditure may finally pass into the hands of China herself.

There appears to be some misunderstanding in China with regard to the suggestion that the Land Tax might at some future date be utilised as a source of security for a supplementary administrative loan should the other revenues of the country prove insufficient for that purpose, or be already fully pledged. That the collection of Land Tax should be remodelled on the lines of that of the Maritime Customs, *i. e.*, placed under foreign supervision, formed no part of the suggestion, and was not even discussed. Neither the application of foreign control to the collection of Land Tax, nor specific hypothecation of that security, came within the scope of the conclusions reached at the Consortium Conference at New York in October, 1920. The project of a loan secured on the Land Tax was not then and is not now under consideration by the Consortium.

Paris, May 28, 1923.

五　米國大統領「ハーヂング」氏薨去

大正十二年八月三日　外務大臣談

米國大統領「ハーヂング」氏カ先般不慮ノ病氣ニ罹ラレ其ノ後漸次快方ニ赴カルル旨ヲ聞キ大ニ安心シテ居ツタ次第デアツタカ今大統領薨去ノ報道ヲ耳ニシ日本國民ハ大統領ヲ亡ツタ米國國民及大統領遺族ノ爲ニ最モ沈痛ナル哀悼ノ意ヲ禁セサル次第デアル同大統領カ世界平和ノ爲及日米兩國親善ノ爲ニ貢獻セラレタル功績ノ多大ナルコトハ吾々ノ忘レ能ハサル所デアツテ華府會議ノ提唱者タル「ハーヂング」氏ノ名カ人類ノ歷史ニ特筆大書セラルルデアラウコトハ予ノ信シテ疑ハス所デアル

六　米國大統領「ハーヂング」氏薨去ニ對スル內田外務大臣ノ弔詞

大正十二年八月四日

米國大統領「ハーヂング」氏薨去ニ付キ內田外務大臣ハ八月四日朝在米埴原大使ヲ經テ米國國務卿「ヒューズ」氏ニ對シ左ノ通弔詞ヲ申送レリ

帝國政府ハ大統領永眠ノ悲報ニ接シ痛歎ニ堪ヘス大統領カ就任以來終始世界平和ノ爲盡瘁セラレ殊ニ日米國交ニ關シテハ傳統的親善關係ヲ益々緊密ナラシムルコトニ努力セラレタルコトハ帝國政府並日本國民ノ銘記スル所ナリ本大臣ハ帝國政府ノ名ニ於テ貴國政府並國民ノ遭遇セル不幸ニ對シ深甚ナル弔意ヲ表ス

七　米國大統領薨去ニ對スル御親電

大正十二年八月六日

米國大統領「ハーヂング」氏薨去ニ付キ八月四日新大統領「クーリッヂ」氏ニ對シ左ノ如キ御親電ヲ發セラレタリ

世界ノ平和殊ニ日米親善ニ貢獻スル所多大ナリシ大統領「ハーヂング」閣下ノ暴ニ薨去セラレタル悲報ニ接シ驚愕痛悼ノ至ニ堪ヘス茲ニ謹賀ナル弔意ヲ致ス

大正十二年八月四日

八　前掲御親電ニ對スル米國新大統領ノ御禮電

大正十二年八月九日

天皇陛下ヨリ去ル四日米國大統領ニ御發送アラセラレタル前大統領薨去ノ御弔電ニ對シ七日新大統領ヨリ左ノ通御禮電アリタリ

大統領「ハーヂング」ノ逝去ニ際シ陛下ヨリ寄セラレタル慇懃ナル御弔電ニ對シ感謝ノ意ヲ表ス貴我兩國ヲ結合スル友誼的連鎖ヲシテ彌々鞏固ナラシメムトスルハ先任大統領ト齊シク余カ不斷ノ企圖タルヘキコトヲ陛下ニ確證ス

カルウイン・クーリッヂ

日本國皇帝陛下

九　米國、白耳義、佛蘭西、英吉利、伊太利及日本宛
獨逸政府ノ覺書

大正十二年五月五日

獨逸政府ハ歐洲荒廢地ノ復舊竝經濟生活及一般平和ノ恢復ニ關スル諸問題ハ關係各國間相互了解ニ依リテノミ之ヲ解決スルヲ得ヘシトノ從來ノ信念ヲ再ヒ玆ニ確言セムトス「ルール」地方ノ占領ハ以上ノ精神ニ全然背馳シ同地方住民ノ消極的反抗ヲ誘致セル固ヨリ其ノ所ニシテ獨逸政府ハ之ニ依リ日々徒ニ經濟財貨ノ破壞セラルルヲ遺憾トシ右事態ヲ終熄セシムルカ爲其ノ努力ヲ新ニスルノ決心ヲナセリ但シ「ルール」ノ撤兵ヲ見「ライン」條約ニ規定セラレタル條件ノ滿タサルルマテハ政府ハ其ノ法律的見解ヲ固執シ消極的反抗ヲ持續セサルヲ得ス

獨逸政府ハ「ルール」占領等ノ事實ニ拘ラス其ノ力ノ及フ限リ賠償義務ヲ實行シ殊ニ荒廢地ノ復舊ニ努力セムトスルノ意思ハ毫モ之ヲ變更セス唯現下ノ我財政經濟狀態ニテハ獨逸ノ能力ニ關シ精確ナル見積ヲ立テ斷定的具體的數字ヲ擧示スルコト不可能ナルカ爲獨逸政府ヨリ實際的提議ヲ爲スコト困難ナル事情ニ在リ斯ルカ故ニ賠償問題ノ解決案ニハ必ス相當屈伸ノ餘裕ヲ存シ前記ノ事情ニ適合セシムルコトヲ圖ラサルヘカラス

次ニ目下獨逸ニハ生産ノ超過利益ナルモノナキヲ以テ當分ノ間ハ國內資源ヨリ巨額ノ資本ヲ調達スルコト不可能ナルヲ以テ勢ヒ外債ニ依ラサルヘカラス而モ此ノ事タル先ツ獨逸ノ信用恢復ヲ俟タサルヘカラス

右事情ニ顧ミ又本年一月ノ巴里會議ノ際ニ於ケル我提案ノ根本精神ニ則リ獨逸政府ハ賠償問題竝之ニ關聯スル各種政治問題ノ解決案トシテ次ノ如キ提案ヲナサムトス

「ヴエルサイユ」條約ニ基ク獨逸賠償債務ノ總額ヲ三百億金貨馬克トシ其ノ中二百億金貨馬克ハ千九百二十七年七月一日マテニ外國金融市場ニ於テ普通ノ利率ヲ以テ公債ヲ募集シテ之ヲ調達シ更ニ千九百三十一年七月一日マテ及千九百三十五年七月一日マテニ各五十億金貨馬克ヲ同樣調達スルコト

一、右二百億金貨馬克ハ直ニ公債ヲ賣出シ千九百二十七年七月一日マテノ利子ハ之ヲ公債收入ヨリ控除シ賠償委員ノ管理ノ下ニ之ヲ特別基金トナス若シ千九百二十七年七月一日マテニ公債ニ依リテ二百億金貨馬克ヲ調達スルコト不可能ナル場合ニ於テハ右金額ニ對シ今日ヨリ起算シ五分ノ利子竝一分ノ減債基金ヲ支拂フヘシ

二、兩回ニ亘ル五十億金貨馬克ノ公債ニシテ所定日附迄ニ全部ノ募集ヲ了ヘサル場合ニ於テハ公平ナル國際委員會ヲ設ケ不足額調達ニ付キ決定セシム

右國際委員會ハ最初ノ二百億金貨馬克ノ募集ニ與ル財團ヲ以テ之ニ當ラシムルカ或ハ米國國務卿「ヒューズ」氏ノ案ニ基キテ選定セル國際財業者委員會ヲ用フルカ或ハ他國委員ト同樣ノ權利ヲ有スル獨逸委員ヲモ加フル一委員會ヲ作ルカ或ハ仲裁裁判ニ依ルヘシ

三、獨逸ハ又現行條約並今後ノ決定ニ基キ現物支拂ヲ爲スヘク其ノ支拂額ハ獨逸ノ貸方ニ記入スルモノトス

以上ノ提議ハ獨逸經濟力ノ極限ヲ示スモノニシテ獨逸政府ハ「ルール」地方占領ノ結果獨逸ノ經濟組織ノ撓亂委敵ヲ來セル今日右提議ハ或ハ獨逸能力ノ限度ヲ超過セサヤトノ重大ナル疑問ヲスラ懷ク次第ナリ今日マテノ莫大ナル支拂ニ依リテ獨逸ノ生產力カ著シク減削セラレ國富ノ減少シタル事實ヲ知ルモノハ公平ニ見テ前記獨逸政府ノ提案ノ極メテ妥當ナルヲ認ムヘキヲ信ス

不幸ニシテ聯合諸國側ノ見ル所ニシテ獨逸政府ト異ナルモノアラハ獨逸政府ハ米國國務卿ノ提案ニ基キ賠償問題ヲ擧ケテ公平ナル國際委員會ノ決定ニ一任セムコトヲ提議ス

前顯獨逸政府ノ提案ニ基ク支拂ニ對シテハ獨逸政府ハ特別ノ抵當ヲ提供スヘシ尤モ「ヴエルサイユ」條約ニ基キ獨逸帝國並聯邦諸國ノ財產及財源ハ悉ク一般的抵當ノ目的トナリ居ルヲ以テ新ニ募集セラルヘキ公債ノ抵當トシテ此等財產及財源ヲ提供スルニハ國際財團並賠償委員會ト各種具體的商議ヲ必要トスヘシ政府ハ又右公債ニ關スル約定履行ノ爲立法作用ニ依リ全國實業界ノ協力ヲ求メ又現物支拂ニ付キテハ長期ノ私人契約ニ依ルヘク違約ニ對シテハ罰則ヲ設クヘシ

獨逸政府ノ債務履行ハ一ニ獨逸貨幣ノ安定ニ俟タサルヘカラス若シ賠償問題ノ調整ニ伴ヒ獨逸貨幣ニシテ秩序的ニ且永續的ニ安定スルヲ得ハ他國生產者ノ訴フル獨逸競爭ノ害ハ立ロニ消失スヘシ獨逸自身並獨逸ノ債權者カ希望スル獨逸國內秩序ノ恢復モ之ニ依リテ始テ期スルヲ得ヘシ

以上獨逸政府ノ提議ヲ實行シ公債應募者ノ利益ヲ維持スルカ爲ニハ將來再ヒ抵當物ノ强制的差押又ハ此ノ上獨逸ニ對シ制裁ヲ加フルカ如キコトナク獨逸ヲシテ現在ノ如ク不生產的支出並政治的經濟的束縛ヨリ脫セシムルヲ要ス例ヘハ獨逸全國ニ亘リ統一セル行政組織ヲ確立シ又「ヴエルサイユ」條約ノ規定ヲ利用シ獨逸ニ經濟的不平等ノ待遇ヲ與フルカ如キコトヲナサシムヘカラス又馬克相馬ノ安定ヲ得タル後ハ他國ニ輸出スル獨逸貨物ニ對シ馬克ノ下落時代ニ設ケラレタル諸種ノ制限ヲ撤廢スルコト必要ナリ經濟的協調ニ依リ歐洲ノ平和ヲ進メ個人契約ヲ自由ニシテ生產ト

消費トノ間ニ自然的關係ヲ確立セムカ爲ニハ關係諸國ノ間ニ重要貨物ノ交換カ自由ニ行ハルルコトヲ要ス殊ニ石炭「コークス」ノ賣渡ニ關シ長期ノ私人契約ノ行ハルルコト最モ必要ナリ

獨逸政府ハ獨佛間平和的協力ノ爲ニハ曩ニ「ライン」條約ヲ提議セルト同一精神ニ基キ平和ヲ目的トシ相互主義ヲ基礎トスル何等ノ協約ヲモ喜ンテ之ヲ締結セムトス殊ニ兩國間ニ生スル紛爭ニシテ普通外交手段ニヨリ解決シ得サルモノヲ或種ノ國際的平和手段例ヘハ法律問題ハ仲裁裁判ニ他ノ紛爭ハ「ブリアン」協約ノ如キ和解方法ニ委スルノ協約ヲ歡迎スルモノナリ

獨逸政府ハ以上ノ提案ヲ基礎トシテ商議ヲ開始セムコトヲ提議ス右商議ノ前提トシテ先ツ直ニ「スタチユコー」(事前ノ狀態)ヲ恢復スルヲ要ス卽チ「ヴエルサイユ」條約ノ規定ヲ超エテ占領セラレタル土地ヨリ撤兵スルコト「ライン」地方ニ於テハ「ライン」協約ニ基ク狀態ヲ恢復スルコト逮捕セラレタル獨逸人ヲ解放スルコト追放獨逸人ヲ歸還セシムルコト卽チ是レナリ

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公表第一號　（三月二十四日）

日暹通商航海條約締結

現行日暹通商航海條約ハ明治三十一年ノ締結ニ係ルモノニシテ其ノ規定ニ基イテ帝國ハ暹羅國ニ於テ領事裁判權ヲ有スルト共ニ帝國臣民ハ同國內ニ於テ單ニ一定區域タル開市場ニ於テノミ居住シ又ハ商業及產業ニ從事スル權利ヲ享有スルニ過キナカツタ然シ近時暹羅國ニ於ケル司法制度カ著シク改善セラレ殆ト舊態ヲ一新スルヤウニナツタ結果英佛二國ハ各千九百七年ノ條約、丁抹ハ千九百十三年ノ條約ニ於テ夫々相當ノ範圍マテ領事裁判權ヲ撤廢シ千九百二十年ニハ米國ハ對等ノ基礎ニ依ツテ條約ヲ改正シ右新條約ニ於テ移審權留保ノ下ニ領事裁判權ヲ撤廢シタノテアルカ其ノ結果此等諸國ノ國民ハ何レモ暹羅國ノ國法ニ服從スル限リ同國內地全部ニ亘ツテ居住シ且土地所有權及鑛山權等ヲ享有スルコトトナツタ依ツテ帝國ニ於テハ暹羅國ト共ニ亞細亞ニ位置スル關係

カラ云ッテモ又過去ニ於テ帝國カ久シク外國領事裁判權制度ノ下ニ苦シンタ關係カラ云ッテモ帝國臣民ニ對スル十分ナ司法的保護ノ保障ノアル限リ一日モ早ク同國ニ於ケル領事裁判權ヲ撤廢スルト共ニ帝國臣民ヲシテ同國內地居住及財產權享有等ニ關スル自由ヲ享有セシメルコトカ兩國修好通商關係ノ增進上必要ナル措置テアルト認メ之カ爲ニ現行條約ニ代ルヘキ條約ヲ締結セムコトヲ希望シ去ル大正十年一月在暹政尾公使ヲシテ暹羅國政府ト交涉ヲ開始セシメタ右交涉ハ同年八月同公使ノ逝去ニ依リ一時中絕ニ陷ッタノテアルカ後任矢田公使ノ赴任スルト共ニ大正十一年八月更ニ交涉ヲ繼續シ累次ノ商議ヲ經タ結果遂ニ條約ノ成案ヲ得去ル三月十日之カ調印ヲ了スル運ニ至ッタ

新條約ト現行條約トノ規定ヲ比較スルト新條約ニ於テハ（甲）領事裁判權ノ撤廢ニ付テ條約附屬議定書ヲ以テ帝國政府ハ（一）本條約ノ實施ト同時ニ領事裁判權ヲ撤廢スルト共ニ（二）法典完成後五年ノ間移審權ヲ行ヒ且（三）法典編纂ニ際シ修正要求權ヲ有スルコトヲ定メタ外（四）移審權行使ノ場合ニ於ケル適用法規ニ關シ公文交換ニ依ッテ帝國ノ法制上必要ナ事項ヲ規定シ（乙）其ノ他ノ事項ニ付テハ（一）居住營業ノ自由及各種財產權ノ享有竝內地通過稅、倉庫及奬勵金等ニ關シ單ニ最惠國待遇ヲ保障スル現行條約ノ規定ニ代ヘ內國民及最惠國待遇ヲ規定シ特ニ土地所有權ニ關シテハ帝國現行ノ法制上生スヘキ解釋上ノ疑義ヲ避ケル爲ニ帝國臣民カ英佛ノ國民ト同樣ニ土地ヲ所有シ得ル旨ノ公文ヲ交換シタ外（二）司法上ノ保護、會社ノ互認、沿岸貿易ノ除外、工業所有權ノ保護及死亡者ノ財產管理等ニ付テ新ニ最惠國待遇ヲ基礎トスル規定ヲ設ケ特ニ工業所有權ノ保護ニ關シテハ暹羅國ニ於テ速ニ萬國工業所有權保護同盟條約及文學的及美術的著作物保護同盟條約ニ加入スヘキコト及帝國ノ利益ヲ最惠國ニ對スルト等シク尊重スヘキ旨ヲ約スル公文ヲ交換シ且（三）關稅事項ニ關シテハ一方暹羅國ノ關稅自主權ヲ認メルト共ニ他方暹羅國カ各國トノ條約ニ由ッテ有スル協定稅率ニ對シテ最惠國條款ニ由リ之ニ均霑スヘキコト竝將來暹羅國ニ於テ稅率ノ引上ヲ爲ス場合ニハ列國ニ於テ無條件ニ之ヲ承認シタ場合ニ限リ帝國モ亦無條件ニ之ヲ承認スルコトトシ（四）右ノ外輸出入稅ノ賦課、輸出入禁止、船舶及貨物ノ待遇、噸稅等ニ關スル事項竝船舶ノ繫留及貨物ノ積卸等ニ關シテハ新條約ニ於テモ大體現行條約ト同樣ノ規定ヲ設ケタ

尙本條約ハ批准交換後七日ヲ經テ實施セラレ其ノ有效期間ハ十年間テアッテ期間滿了一年以前ニ條約終了ノ意思ヲ通告スル場合ヲ除クノ外廢棄通告ノ日カラ一年間引續イテ有效ナモノテアル

公表第二號　（四月十五日）

日英通商航海條約第八條廢棄

帝國政府ニ於テハ明治四十四年四月調印ノ現行日英通商航海條約カ既ニ客年七月十六日ヲ以テ期間滿了シタルノミナラス右十二箇年ノ有效期間內ニ歐洲大戰等世界經濟狀態ノ上ニ一大變革アリタルニ鑑ミ右日英條約ニ對シ他ノ歐米各國トノ現行諸通商條約ニ對スルト等シク必要ナル修正ヲ加ヘ帝國ノ通商及產業狀態ノ現狀ニ對應セシメタキ希望ヲ有シ去三月初旬以來英國倫敦ニ於テ交涉中ナリシカ本件日英條約ニ對スル帝國政府ノ修正提議中同條約第八條及同附屬稅表廢棄ニ關シテハ英國政府之ニ同意シ同條及同附屬稅表ハ大正十四年三月十日限リ其ノ效力ヲ失フヘキコト竝右廢棄內定ノコトハ其ノ兩國通商關係ニ影響スル所特ニ大ナルニ鑑ミ成ルヘク早キニ及ヒテ非公式ニ發表スルコトニ兩國交涉委員ノ間ニ意見一致セリ尤モ右第八條及附屬稅表ノ廢棄ニ付テハ之カ爲成ルヘク速ニ兩國政府間ニ公文ノ交涉其ノ他正式ノ手續ヲ執ラルヘキ處右手續完了ノ際ハ何レモ改メテ正式ニ公示セラルヘク而シテ右廢棄ハ前記公文交換等ノ正式ノ手續ノ完了ニ依リ確定ス

別號第一　（四月十五日）

米國移民法案ニ關シ米國通信員ニ與ヘタル松井外務大臣ノ聲明

四月十五日松井外相ハ在京ノ米國通信員ヲ引見シ大要左ノ聲明ヲナシタ

排日ノ目的ヲ有スル提案カ米國議會ヲ通過セムトスルコトニ對シテ予ハ米國ニ憑フル所アラムトスルモノデアル日本官民ハ多年ニ亙ッテ且時トシテハ尠カラヌ犧牲ヲ拂ッテ北米合衆國トノ友好ヲ增進スル爲最大ナル努力ヲ惜マナカッタ今モ尙吾人ハ此ノ明瞭ナ價値アル政策カ十分ナ效果ヲ收メルデアラウトイフ希望ト確信トヲ棄テナイ併シ乍ラ今ヤ吾人ハ深憂禁スルコト能ハサルニ至ッタ予カ米國新聞通信員諸君ヲ通シテ愬フル所アラムトスル所以ハ玆ニ存スル而モソレハ單ニ吾人ニ取ッテハ相當ニ苦痛デアッテ且諸君ニ取ッテモ何等滿足ヲ與フル所ノナイ行動ニ對シテ考慮ヲ求メルニ過キス決シテ夫レ以上註文ヲ出スノデハナイ

若シ「クオータ」條項カ米國側ノ官意ニ由ッテ實行セラレ紳士協約カ日本側ニ由ッテ實行セラルルナラハ移民ニ關シテ最モ有效ナ取締カ出來ルコトハ疑ヲ容レナイ斯クシテ將來米國ニ赴クコトヲ許サレル少數ノ日本人ヲ精選シ他ノ者ヲ制限シ以テ出來ルタケ兩國ノ感情ヲ害セスニ其ノ取締ヲ實行スルコトハ有效ナ手段ト思フカラ吾人ハ勿論之ヲ努メナケレハナラナイ現ニ存スル相互ノ信任ト尊敬ト好意トハ吾人カ國民竝政府トシテ保持增進セムコトヲ切望スル所デアルカ如上ノ取極ハ善ク之ヲ維持スル所以トナルデアラウ

日米兩國民ヲ結フニ單ニ相互ノ利益ノミヲ基礎トスル協約ヲ以テスルヨリハ寧ロ友誼的協調ヲ以テスル方カ遙ニ實際上相互ノ利益ヲ齎ラスノデアルコトハ確實デアル日本ト米國トノ利害ハ密接ニ關聯シテ居ル米國ハ日本ノ輸出年額總計ノ四割ヲ引受ケル我カ最大ノ華客デアルソシテ日本ハ米國品ノ買手トシテ極東ニ於ケル總テノ他國ヲ合シタヨリモ大キイ此ノ事實ハ日米兩國カ太平洋ニ瀕スル諸國民ノ安固ニ於テ政治的竝精神的ニ共通ノ利害關係ヲ有スル事實ト相俟ッテ玆ニ破ルヘカラサル交誼ノ絆ヲ形成スルノデアル此ノ交誼ヲ維持スヘキ相互尊敬ヲ今ヨリモ一層增大シ決シテ減少セシメマイトスルハ吾人ノ最大ナ希望デアル

世界中最モ富裕且ツ安固ナ米國ハ洋ノ東西ヲ問ハス各國民ノ深甚ナ注意ヲ以テ瞻望スル所デアル米國民ハ他國民ニ對シ自由勝手ノ行動ニ出ツルコトモ或ハ寬仁ノ襟度ヲ示スコトモ自由デアッテ

彼ヲ他國民ニ雷レヨウト又反對ニ彼等ヲ憤激ナセヨウト毛頭遠慮氣兼ヲ要セサル眞ニ淡ムクキ地位ニ居ルモノデアル東洋ニ於ケル米國宣教師ノ活動ノ結果米國ハ基督教國民中偉大ナモノノ一トシテ深イ感謝ヲ受ケルニ至ツタ就近日本國民ハ米國ノ二ツノ重大ナ行爲ニ由ツテ大ナル感銘ヲ與クラレタ第一ハ海軍軍備制限ノ提唱デアツタカ是レハ獨リ米國カ其ノ優越ナ地位ニ依ツテ世界ニ向ツテ爲シ得ル所デアツタ第二ハ過般ノ恐ルベキ天災ニ際シ吾人ニ對シテ米國民カ速ヤカニ示シタ深厚ナル同情デアツタ

然ルニ今ヤ吾人カ從來ト全然異ツタ取扱ヲ米國カラ取ケルトスレハ夫レハ吾人カ多年米國民ニ對シテ欣ンテ抱懷シテ居タ親善ト尊敬トノ念ヲ多少毀損スルコトノ外何等ノ效果ヲモ示サナイデアラウ併シ乍ラ吾人ハ美質ヲ有スルコト米國民ノ如キモノニ取ツテ他國民ノ感情ヲ尊重スルトイフコトカ極ニ重大ナ念慮ノ一デアルベキコトヲ信シテ疑ハナイモノデアル

FOREIGN MINISTER'S STATEMENT GIVEN TO NEWSPAPER CORRESPONDENTS CONCERNING AMERICAN IMMIGRATION BILL.

April 15, 1924.

There is not much that I can say in compliance with various requests for an interview. But this I want to do: I want to appeal against the final passage of the proposal designed to exclude Japanese. For many years and sometimes at considerable sacrifice we Japanese, both in Government circles and privately, have made the utmost effort to develop friendship with the United States. We have never given up hope or belief that this very clear and worthy policy would be successful; nor have we given up now. Now, however, we have cause for grave anxiety, and it is for that reason that I make this appeal through you gentlemen of the American press. It seems to us that we are appealing only against an action that can wound us to some extent and can bring little satisfaction to you.

There can be little doubt that if the quota provision is operated by American authorities on your side and the Gentlemen's Agreement is operated by us here, the most effective control over emigration will be provided. The choosing of those few of our people who would thus be permitted in future to go to American shores, the restraining of others, and the effecting of this supervision with the least possible irritation to either side is valuable assistance which we have mutual confidence, respect, and goodwill which now exists and which we, as a nation as well as a Government, are most anxious to retain and to continue successfully to promote.

It is certainly of practical and we hope mutual benefit to keep our nations in friendly accord rather than in agreement based only on mutual interests. Our interests

are closely linked with yours. You are our greatest customer, taking about forty per cent. of our annual exports, and we are a greater purchaser of your goods than all the rest of the Far East combined. This, together with our mutual political and sentimental interests in the stability and security of the Pacific nations, forms a relationship that cannot be broken; and to maintain it with greater and not with minor mutual regard is our earnest desire.

Being the most wealthy and most secure among the nations, the United States is regarded with careful attention by the East no less than by the West. You are in the enviable position of a Power privileged to take arbitrary action or to behave with fine magnanimity, setting an example to other nations or inducing their resentment. Because of your teachings in the mission fields of the East you have come to be highly regarded as one of the greater Christian nations. Within recent years we in Japan have been deeply affected by two notable actions on your part: First, the proposal to limit naval armament, an offer which you alone could make to the world out of your supremacy; secondly, the splendid and spontaneous sympathy which you displayed towards us at the time of our recent awful disaster.

If now we get from you an experience of a different character, it will undo some of that spirit of friendship and esteem in which we have been happy long to regard you, it can do no more than this: but with a nation of the character of yours, the regard

of others is, we believe, a consideration of no mean importance.

在米埴原大使ヨリ米國國務長官宛

四月十日附公文（大正十三年七月外務省編纂「一九二四年米國移民法制定及之ニ關スル日米交渉經過」參照）

千九百二十四年三月二十四日下院移民委員會第三百五十號報告中ニハ所謂紳士協約ニ關シ誤解ヲ招キ易キ事項ノ記載アルヲ以テ本使ハ日本政府カ了解シ履行シ居レル該協約ノ目的及要領ヲ陳述セムト欲ス而シテ本使ハ右日本政府ノ了解シ實行スル所ハ米國政府ノ了解及實行ト一致スルモノナルコトヲ信ス

抑モ紳士協約ナルモノハ日米兩國政府間ノ一ノ了解ニシテ日本政府ハ之ニ從ヒ日本勞働者ノ米國ニ移住スルヲ防止スルカ爲自發的ニ一定ノ行政的措置ヲ採用履行シ來レリ右ハ決シテ移民取締ニ關スル合衆國ノ主權ヲ拘束スルノ意圖ニ出テタルモノニアラスシテ此ノ點ハ千九百十七年制定ノ現行移民法カ他外國人ト同樣ニ日本人ニモ適用セラルル事實ニ徵スルモ明白ナリ

兩國政府間ニ於テ最モ友好的ニ且胸襟ヲ披キテ討議ヲ盡シタル結果紳士協約ノ成立ヲ見タルハ米

國ニ於テ差別的移民法制定セラルル場合ニハ自然日本國民ノ國民的感情ヲ損傷スルノ虞アリタルカ爲ニシテ右協約ハ合衆國ニ對シ友邦ノ國民的自尊心ヲ傷クルノ虞アル事態ノ發生ヲ防止スルヲ目的トスルモノナリ

日本政府ハ自發的制限トシテ同協約ノ條項ヲ最モ精確且忠實ニ實行シ來レルカ現行日米通商航海條約締結ニ際シ公然聲明シタル如ク今後モ引續キ右協約ヲ實行スルノ覺悟ヲ有スルモノナリ而シテ日本政府ハ他方若シ米國議會ニ於テ日本國民ノ感情ヲ多大ニ損傷スルカ如キ措置ヲ執ラムトスル場合ニハ米國政府ハ必要ニ應シ之カ阻止方ヲ議會ニ勸告スルモノト確信ス

紳士協約ノ一目的ハ上述セルカ如ク同協約中ニ除外例ヲ設ケタルモノヲ除キ總テノ日本勞働者ノ米國入國ヲ阻止セムトスルモノナリ該協約ハ兩國政府間ニ交換セラレタル幾多ノ長文且詳細ナル文書中ニ包含セラルルモノナルカ一々右文書ヲ公表スルハ何等稗益スル所ナシト信スルカ故ニ其ノ主要ナル條項及實行狀況ヲ左ニ概言スヘシ

一、日本政府ハ熟練及不熟練勞働者ニ對シテハ以前ニ合衆國ニ定住セル者又ハ此等ノ者ノ兩親、妻若ハ二十歲以下ノ子供ヲ除ク外一切合衆國大陸ニ通用スヘキ旅券ヲ發給セサルヘシ旅券ノ形式ハ僞造ヲ防止スルヤウ工夫セラレ其ノ發給ハ詐僞ヲ防遏セムカ爲ニ各種ノ探査規則

ニ基キ之ヲ行フ日本政府ハ千九百七年四月八日ノ合衆國行政命令ニ示サレタル勞働者ノ定義ヲ是認セリ

二、旅券ハ外務省ノ監督ノ下ニ特ニ權限アル少數ノ官吏ノミニ依リテ發給セラルヘシ外務省ハ本件ニ關スル最高ノ監督權ヲ有シ右行政事務ヲ處理スル爲ニ必要ナル職員ヲ有ス此等職員ハ學生、商人、旅行者、其ノ他ノ者カ旅券下付ヲ申請セシ場合右申請者カ勞働者トナル虞アリヤ否ヤニ關シ十分ナル調査ヲ遂ケ且申請者カ現在ノ身分ヲ維持スルニ必要ナル資力又ハ其ノ保證ヲ有スルヲ要ストノ條件ヲ勵行セサルヘカラス

申請者カ旅券ノ發給ヲ受クル資格アリヤ否ヤニ付疑アル場合ニハ當該事件ハ其ノ決定ヲ得ル爲ニ外務省ニ移牒セラルヘシ合衆國ニ定住シタルコトアル勞働者ニ對スル旅券ハ合衆國ニ於ケル日本領事官ノ證明書ノ提出アル場合ニ於テ始メテ發給セラレ當該勞働者ノ兩親妻子ニ對スル旅券ハ日本領事官ノ證明書ノ提出及日本ニ於ケル勞働者ノ家族ノ戸籍謄本ノ提出アル場合ニ始メテ發給セラルヘシ而シテ日本政府ハ詐僞ヲ防遏スル爲ニ愼重ナル最善ノ手段ヲ講ス

三、所謂寫眞花嫁ニ對スル旅券ノ發給ハ紳士協約ノ條項ニ依リ禁止セラレ居ラスト雖モ日本政府ハ千九百二十年三月一日以來之ヲ停止セリ

四、日米兩國政府ハ米國ニ入國シ及米國ヨリ出國スル日本人ニ關スル月別統計表ヲ交換ス

五、紳士協約ハ「ハワイ」諸島ニハ適用セラレスト雖モ該諸島ニ對スル旅券ノ發給ヲ制限スルノ方策ハ合衆國大陸ニ對スルト實質上同樣ニ强行セラレツツアリ

六、日本政府ハ日本勞働者カ合衆國ニ密入國スルヲ防遏スル爲ニ合衆國ニ隣接セル外國領土ニ赴カムトスル此等勞働者ノ取締ヲ一層嚴重ナラシメツツアリ

此等ノ箇條ヲ一層要約シタルモノハ千九百八年、千九百九年及千九百十年ニ於ケル米國移民長官ノ年報中第一二五六頁、第一二一頁及第一二四五頁ニ發表セラレ居レリ

日本政府カ紳士協約ノ總テノ條項ヲ嚴守シ來レルハ上述ノ如クニシテ右ハ米國政府ニ於テ熟知セラルル所ト信ス本使ハ右ニ關聯シ出入國ニ依ル米本國ニ於ケル日本人人口ノ增減ニ付米國移民長官年報中ニ發表セラレタル統計ニ付貴官ノ注意ヲ喚起セムト欲ス右報告ニ依レハ（年報中ノB表參照）千九百八年ヨリ千九百二十三年ニ至ル期間內ニ米本國ニ入國ヲ許可セラレタル日本人總數ハ十二萬三百十七名ニシテ同國ヨリ出國シタル日本人總數ハ十一萬千六百三十六名ナリ換言スレハ出國シタル者ニ比シ入國許可ヲ受ケタル者ノ增加ハ十五年間ニ僅ニ八千六百八十一名ニシテ一年平均五百七十八名ニ過キス而モ此ノ八千六百八十一名中ニハ曾ニ紳士協約ノ條項ニ網羅セラレ居ル者ノミナラス商人、學生、旅行者、官吏等ノ如キ其ノ他總テノ種類ノ日本人ヲモ包含スルコトニ注意スルコト肝要ナリ米國移民當局ノ調製セル右數字ハ紳士協約ノ有效ニ施行セラ

レ居ルノコトヲ明確ニ表示スルモノト云フヘシ勿論此ノ外ニ米國內ニ於ケル出生ニ基ク日本人人口ノ增加アルモ右ハ紳士協約又ハ移民法ニ毫モ關係ナキモノナリ

茲ニ附言セムトスルハ若シ提案カ紳士協約中ノ或ル條項ヲ改修スルヲ可トスルヤ否ヤノ問題ナリトセハ是レ自ラ別箇ノ問題ニシテ米國政府カ本件ヲ討議スルノ希望アルニ於テハ日本政府ニ於テハ之ヲ辭セサルヘキハ本使ノ窃カニ信スル所ナリ

更ニ本使ハ曩ニ日本政府ノ訓令ニ基キ貴官ニ表明シタルコトヲ敢テ反覆シ率直ニ述フレハ移民法案中ニ日本人ヲ國民トシテ排斥スルヲ目的トスル條項ヲ挿入シ日本政府カ米國政府及國民ノ希求ニ副ハムカ爲執リ來リタル最モ愼重ニシテ友好的ノ努力ヲ明ニ無視シタルノ事實ノミニテモ日本政府及國民ノ感情ヲ激セシムルニ足ルモノナリ然レトモ日本政府及國民カ此ノ際隱忍是レ努ムル所以ノモノハ米國政府及國民ノ抱持スル正義及公平ノ觀念ニ鑑ミ同政府及國民ヲシテ前述ノ如キ差別的規定ヲ合衆國法律ノ一部トナスノ要ナキヲ了解セシムヘキコト必スシモ困難ナラスト思惟スルヲ以テナリ

日本政府カ外國移民取締ニ關シテ一國ノ有スルノ主權ニ付云爲セムトスル意思ナキヤ云フマテモナク又日本人ヲ歡迎セサル國ニ向ツテ移民ヲ送ラムト欲スルモノニモアラス却テ日本政府ハ本問

題發生ノ當初ヨリ合衆國ノ希望セサル種類ノ日本人ノ合衆國入國ヲ有效ニ阻止セムカ爲合衆國政府ト協力シ苟クモ名譽ト稱立スヘキ一切ノ手段ヲ講スルニ吝ナラサル旨表明シ十分之カ確證ヲ與ヘタリ而シテ此ノ事タ－米國政府ノ熟知スル所ナリ惟フニ本問題ハ日本ニ取リ便宜ノ問題ニアラスシテ主義ノ問題ナリ單ニ數百名乃至數千ノ日本人カ他國ノ領域ニ入國ヲ許サルルヤ否ヤノ問題ハ延イテ國民感情ノ問題ヲ惹起セサル限リ何等重要ナルモノニアラス日本政府ノ重要視スル所ハ日本カ國民トシテ他國民ヨリ相當ノ尊敬及考慮ヲ受クル資格アリヤ否ヤノ問題ニアリ換言スレハ日本政府カ米國政府ニ對シテ要求スル所ハ畢竟一國民カ普通他國民ノ自尊心ニ對シテ與フル所ノ正當ナル考慮ニシテ是レ實ニ文明諸國間ニ於ケル友誼的國交ノ基調タルヘキモノナリ

何故米國ニ於テ下院移民法案第十二條(B)項(註歸化不能移民排斥條項)ノ如キ條項ヲ制定スルノ必要アリヤハ本邦政府及國民ノ了解スル能ハサル所ニシテ恐ラク貴國政府及貴國民中本問題ヲ愼重ニ研究シタル者ニ於テモ亦之カ了解ニ苦シム所ナルヘシ

千九百二十四年二月八日附下院移民委員會長宛貴翰中ニ指摘セラレタル如ク右條項カ日本人ヲ對象トスルモノニアラストノ主張ハ當ラス蓋シ此ノ點ハ本條項ノ主唱者及支持者カ本條項ノ目的ニ關シテ爲セル公表文ハ云フニ及ハス本法案(第二十五條)カ現行支那移民取締法規及支那以外一定地域ノ亞細亞ヨリ來ル移民ノ入國ヲ禁止スル移民法規中ノ排斥區域規定ヲ引續キ有效ナリトナシ居ルノ事實ニ徵シ明白ナレハナリ換言スレハ第十二條(B)項ノ目的ハ特ニ日本國民ヲ摘出シ之ニ米國國民ヨリ見テ價値ナク且好マシカラサル國民ナリトノ汚名ヲ印スルニアルコト明白ナリ而モ之カ法律トナリタルノ曉其ノ實際ノ結果ハ唯一年僅ニ百四十六名ノ日本人入國ヲ排斥スルノミ他面紳士協約ハ此ノ百四十六名ノ入國ヲ許ス以外ニ於テハ事實上日本人排斥條項ニ依リテ達セムトスル所有目的ヲ達成シ居ルモノナリ從來國際的交際ニ當リ常ニ正義ト公正トノ崇高ナル主義ニ立脚シ來リタル貴國民カ每年百四十六名ノ日本人ヲ排斥セムカ爲ニ貴國トノ友情維持ニ熱心ト誼勉トヲ以テ絕エス努力シ來リシ友邦國民ノ自尊心ヲ著シク傷ケ且米國政府若ハ少クトモ行政部ノ誠意壞イテハ名譽ヲ毀損スルカ如キ手段ニ訴フルノ意思ヲ有スヘシトハ信シ難シ貴官カ從來本使ニ示サレタル信義ニ依賴シ本使ハ茲ニ最モ率直且友誼的精神ヲ以テ以上ヲ反覆陳述シタル次第ナリ若シ此ノ特殊條項ヲ含ム法案ニシテ成立ヲ見ムカ兩國間ノ幸福ニシテ相互ニ有利ナル關係ニ對シ重大ナル結果ヲ誘致スヘキハ本使ノ感知セサルヲ得サル所ニシテ貴官モ亦同感ナルヲ信スルモノナリ本使ハ茲ニ閣下ニ向テ敬意ヲ表ス

千九百二十四年四月十日

華盛頓日本大使館ニ於テ

埴原正直

NOTE ADDRESSED TO SECRETARY OF STATE HUGHES BY AMBASSADOR HANIHARA ON APRIL 10.

Japanese Embassy,
Washington, April 10, 1924.

Sir:

In view of certain statements in the report of the House Committee on immigration, "Report No. 350, March 24, 1924," regarding the so-called "Gentlemen's Agreement", some of which appear to be misleading, I may be allowed to state to you the purpose and substance of the agreement as it is understood and performed by my Government which understanding and practice are, I believe, in accord with those of your Government on this subject.

The Gentlemen's Agreement is an understanding with the United States Government by which the Japanese Government voluntarily understood to adopt and enforce certain administrative measures designed to check the emigration to the United States of Japanese laborers. It is in no way intended as a restriction or the sovereign right of the United States to regulate its immigration. This is shown by the fact that the existing immigration Act of 1917, for instance, is applied to Japanese as to other aliens.

It was because of the fact that discriminatory immigration legislation on the part of the United States would naturally wound the national susceptibilities of the Japanese people, that after thorough but most friendly and frank discussions betewen the two Governments, the Gentlemen's Agreement was made for the purpose of relieving the United States from the possible unfortunate necessity of offending the national pride of a friendly nation.

The Japanese Government have most scrupulously and faithfully carried out the terms of the agreement as a self-imposed restriction, and are fully prepared to continue to do so as officially announced at the time of the conclusion of the present treaty of commerce and navigation between Japan and the United States. In return the Japanese Government confidently trust that the United States Government will recommend, if necessary, to the Congress to refrain from resorting to a measure that would seriously wound the proper susceptibilities of the Japanese nation.

One object of the Gentlemen's Agreement is as is pointed out above to stop the emigration to the United States of all Japanese laborers other than those excepted in the agreement which is embodied in a series of long and detailed correspondence between

the two Governments, publication of which is not believed to serve any good purpose but the essential terms and practice of which may be summed up as follows:

1. The Japanese Government will not issue passports good for the Continental United States to laborers, skilled or unskilled, except those previously domiciled in the United States or parents, wives, or children under twenty years of age of such persons. The form of the passport is so designed as to omit no safeguard against forgery and its issuance is governed by various rules of detection in order to prevent fraud. The Japanese Government accepted the definition of laborers as given in the United States Prosecutive Order of April 8, 1907.

2. Passports are to be issued by a limited number of specially authorized officials only under close supervision of the Foreign Office which has the supreme control of the matter and is equipped with the necessary staff for the administration of it. These officials shall make thorough investigation when application for passports is made by students, merchants, tourists, or the like to ascertain whether the applicant is likely to become a laborer and shall enforce the requirement that such person shall either be supplied with adequate means to insure the permanence of his status as such or that surety be given therefor. In case of any doubt as to whether such applicant is or is not entitled to a passporrt, the matter shall be referred to the Foreign Office for decision. Passports to laborers previously domiciled in the United States will be issued only upon production of certificate from Japanese consular officers in the United States and passports to the parents, wives, and children of such laborer will be issued only upon production of such consular certificate and of duly certified copy of official registry of members of such laborer's family in Japan. Utmost circumspection is exercised to guard against fraud.

3. Issuance of passports to so-called picture brides has been stopped by the Japanese Government since March 1, 1920, although it had not been prohibited under the terms of the Gentlemen's Agreement.

4. Monthly statistics covering incoming and outgoing Japanese are exchanged between the American and Japanese Governments.

5. Although the Gentlemen's Agreement is not applicable to the Hawaiian Islands, measures restricting issuance of passports for the Islands are being enforced in substantially the same manner as this for the Continental United States.

6. The Japanese Government is further increasing strict control over emigration of Japanese laborers to foreign territories contiguous to the United States in order to prevent their surreptitious entry into the United States.

A more condensed substance of these terms is published in the annual report of the United States commissioner general of immigration for 1908, 1909 and 1910, on pages 1256, 121 and 1245 respectively.

As I stated above, the Japanese Governent have been most faithfully observing the Gentlemen's Agreement in every detail of its terms, which fact is, I believe, well known to the United States Government. I may be permitted in this connection to call your attention to the official figures published in the annual reports of the United States commissioner general of immigration showing the increase or decrease of Japanese population in the continental United States by immigration and emigration. According to these reports (see "Table B" of the annul reports), in the years 1908-1923, the total numbers of Japanese admitted to and departed from the continental United States were, respectively, 120,317 and 111,626. In other words, the excess of those admitted over those departed was, in fifteen years, only 8,681 that is to say, the annual average of 578. It is important to note that in these 8,681 are included not only those who are covered by the terms of the Gentlemen's Agreement but all other classes of Japanese such as merchants, students, touriste, government officials, etc. These figures collected by the United States immigration authorities seem to me to show conclusively the successful operation of the Gentlemen's Agreement. Besides this, there is, of course, the increase through birth of the Japanese population in the United States. This has nothing to do with either the Gentlemen's Agreement or the immigration laws.

I may add in this connection, that if the proposition were whether it would not be desirable to amend or modify some of the terms of the agreement, the question would be different, and I personally believe that my Government would not be unwilling to discuss the matter with your Government if such were its wishes.

Further, if I may speak frankly at the risk of repeating what under instructions from my Government I have represented to you on former occasions, the mere fact that a certain clause obviously aimed against Japanese as a nation is introduced in the proposed immigration bill in apparent disregard of the most sincere and friendly endeavours on the part of the Japanese Government to meet the needs and wishes of the American Government and people is mortifying enough to the Government and people of Japan. They are, however, exercising the utmost forbearance at this moment, and in so doing they confidently reply upon the high sense of justice and fair play of the American Government and people, which, when properly approached, will readily understand why no such discriminatory provision as above referred to should be allowed to become a part of the law of the land.

It is needless to add that it is not the intention of the Japanese Government to question the sovereign right of any country to regulate immigration to its own territories. Nor is it their desire to send their nationals to the countries where they are not wanted. On the contrary, the Japanese Government showed from the very beginning of this problem their perfect willingness to cooperate with the United States Government to effectively prevent by all honorable means the entrance into the United States of such

Japanese nationals as are not desired by the United States, and have given ample evidence thereof, the fact of which are well known to your Government. To Japan the question is not one of expediency but of principle. To her the mere fact that a few hundreds or thousands of her nationals will or will not be admitted into the domains of other countries is immaterial so long as no question of national susceptibilities is involved. The important question is whether Japan as a nation is or is not entitled to the proper respect and consideration of other nations. In other words, the Japanese Government ask of the United States Government simply that proper consideration ordinarily given by one nation to the self-respect of another, which, after all, forms the basis of amicable international intercourse throughout the civilized world.

It is indeed impossible for my Government and people and I believe it would be impossible also for your Government and those of your people who had made a careful study of the subject to understand why it should be necessary for your country to enact as the law of the land such a clause as section 12, (b), of the House Immigration Bill. As is justly pointed out in your letter of February 8, 1924, to the Chairman of the House Committee on Immigration, it is idle to insist that the provision is not aimed at the Japanese, for the proposed measure (section 25) continues in force your existing legislation regulating Chinese immigration and the barred zone provisions of your immigration laws which prohibit immigration from certain other portions of Asia, to say nothing about the public statements of the sponsors and supporters of that particular provision as to its aim; in other words, the manifest object of the said section 12, (b), is to single out Japanese as a nation stigmatizing them as unworthy and undesirable in the eyes of the American people and yet the actual result of that particular provision in the proposed bill, if it becomes the law intended, would be to exclude only 146 Japanese per year. On the other hand, the Gentlemen's Agreement is, in fact, accomplishing all that can be accomplished by the Japanese exclusion clause except for those 146. It is indeed difficult to believe that it can be the intention of the people of your country who always stand for high principles of justice and fair play in the intercouse of nations to resort in order to secure the annual exclusion of 146 Japanes to a measure which would not only seriously offend the just pride of a friendly nation that has been always earnest and diligent in its efforts to preserve the friendship of your people, but would also seem to involve the question of the good faith and therefore of the honor of their Government or at least of its executive branch.

Relying upon the confidence you have been good enough to show me at all times, I have stated or rather repeated all this to you very candidly and in a most friendly spirit, for I realize, as I believe you do, the grave consequences which the enactment of the measure retaining that particular provision would inevitably bring upon the otherwise happy and mutually advantageous relations between our two countries.

Accept Sir, the renewed assurances of my highest consideration.

(Signed) Masanao Hanihara.

Honorable Charles E. Hughes,
Secretary of State.

米國國務長官ヨリ在米埴原大使宛
四月十日附回答文譯文

（大正十三年七月外務省編纂「一九二四年米國移民法制定及之ニ關スル日米交涉經過」參照）

本官ハ下院移民及歸化委員會最近ノ報告（千九百二十四年三月二十四日附報告第三五〇號）ニ關聯シ貴大使カ所謂紳士協約ノ趣旨ニ關スル貴國政府ノ了解及日本ヨリ米國ヘノ移住者ニ對スル貴國政府ノ取扱及之カ目的ニ關シ陳述セラレタル四月十日附貴翰ヲ受領スルノ光榮ヲ有ス千九百七年兩國政府間ニ交換セラレタル往復文ヨリ成立シ四年前ヨリ實施セラレタル所謂寫眞花嫁ニ關スル日本政府ノ追加的處置ニ依リ變更セラレタル所謂紳士協約ノ內容ニ關スル貴大使ノ敍述ヲ見ルハ本官ノ欣幸トスル所ナリ紳士協約ノ要點ニ關シ貴大使ノ陳述セラレタル所ハ右協約ニ關シテ本官ノ了解スル所ト合致ス貴翰ハ紳士協約ノ性質及目的ニ付或ハ起リ得ヘキ誤解ヲ一掃セムトスル趣旨ナルヲ以テ本官ハ貴翰寫及本官ノ此ノ回答文寫ヲ議會兩院當該委員會長ニ通達スヘシ

本官ハ茲ニ閣下ニ向テ重テ敬意ヲ表ス

千九百二十四年四月十日

華盛頓國務省ニ於テ

「チャールズ・イー・ヒューズ」

日本國大使

埴原正直閣下

REPLY OF SECRETARY OF STATE HUGHES TO AMBASSADOR HANIHARA. ON APRIL 10.

Department of State,
Washington, April 10, 1924.

Excellency,

I have the honor to acknowledge the receipt of the note of April 10, in which, referring to the recent report of the Committee on Immigrtion and Naturalization of the House of Representatives (report No. 350, March 24, 1924), you took occasion to state your Government's understanding of the purport of the so-called "Gentlemen's Agreement", and your Government's practice and purposes with respect to immigration from Japan to this country. I am happy to take note of your statement concerning the substance of the so-called "Gentlemen's Agreement" resulting from the correspondence which took place between our two Governments in 1907, as modified by the additional undertaking of the Japanese Government with regard to the so-called "picture brides" which became effective four years ago. Your statement of the essential points constituting the Gentlemen's Agreement corresponds with my own understanding of that arrangement. Inasmuch as your note is directed towards clearing away any possible misapprehension as to the nature and purpose of the "Gentlemen's Agreement", I am taking occasion to communicate copies of it, as also of my present reply, to the chairmen of the appropriate committees of the two Houses of Congress.

Accept, Excellency, the renewed assurance of my highest consideration.

(Signed) Charles E. Hughes.

His Excellency Mr. Masanao Hanihara,
Japanese Ambassador.

公表第五號　（四月二十一日）

在米埴原大使ヨリ米國國務長官宛

四月十七日附公文譯文

（大正十三年七月外務省編纂「一九二四年米國移民法制定及之ニ關スル日米交渉經過」參照）

本使ハ千九百二十四年四月十四日附議會議事錄ヲ閲讀スルニ四月十日附貴官ニ宛テタル本使ノ書翰寫カ上院移民委員會ニ同付セラレ同書翰ハ上院ニ於テ論議ノ目的トナリシカ如シ

右議事錄ニ據レハ一部ノ上院議員ハ本使ノ書翰カ「覆面ノ威嚇」ヲ包含スルモノナリトノ意見ヲ表明シ且上院多數議員カ之ヲ承認セルコト明白ナリ右議事錄ニ依ルニ一部上院議員カ「覆面ノ威嚇」ナリト解釋シタルハ本使カ其ノ書翰ノ末節ニ使用シタル「重大ナル結果」ナル字句ナルカ如キヲ以テ本使ハ茲ニ問題トナリタル字句ヲ包含セル文章ノ全部ヲ引用スヘシ

「貴官カ從來本使ニ示サレタル信義ニ信賴シ本使ハ茲ニ最モ率直且友誼的精神ヲ以テ以上ヲ反覆陳述シタル次第ナリ若シ此ノ特殊條項ヲ含ム法案ニシテ成立ヲ見ムカ兩國間ノ幸福ニシテ相互

ニ有利ナル關係ニ對シ重大ナル結果ヲ誘致スヘキハ本使ノ感知セサルヲ得サル所ニシテ貴官亦同感ナルヲ信スルモノナリ」

之ヲ率直ニ述フレハ此ノ二語カ文脈上感嘆ヲ意味スルカ如ク解釋セラレ得ヘキヤハ本使ノ了解スル能ハサル所ナリ本使ハ唯提出中ノ法案中ニ一特殊條項ヲ採用スルニ依リ兩國ノ傳統的友情ニ對シ最モ不幸ニシテ憂慮スヘキ影響ヲ及ホスヘキヲ力說セムト試ミタルニ過キス右特殊條項ノ採用ハ兩國ノ善良且共助的關係ヲ甚シク毀傷スルノミナラス過去七十五年間ノ兩國國交ノ特徴ヲ表明シ且華盛頓會議ニ依リ竝我國今次ノ災害ニ當リ貴國民カ表示シタル最モ深甚ナル同情ニ依リ一層深厚ノ度ヲ增加シタル相互尊敬及信任ノ精神ヲ減殺スルニ至ルヘシ

日本及北米合衆國間ノミナラス爾餘ノ世界列國ノ幸福ニ必要ナリト信セラルル兩國間ノ眞摯ナル協力ハ十分期シテ待チ得ヘキニ拘ラス若シ斯ノ如キ特殊條項採用セラレタリトセハ兩國間ノ關係ニ惡感ト疑惑トノ不幸ナル雰圍氣ヲ醸成シ又ハ少クトモ之ヲ醸成スルノ虞アルヘシ

從來日米兩國民間ニ存シタル欣フヘキ友情ノ連鎖ヲ維持シ尙ホ能フヘクンハ更ニ之ヲ緊密ナラシメムコトヲ最高義務トスル日本ノ代表者トシテ本使ハ眞摯ニ如上ノ影響カ「重大ナル結果」タルヘキヲ信スルモノナリ

本使ハ唯淡白ニ右字句ヲ用ヒタル次第ニシテ最モ勿論毫モ不快若クハ非禮ノ念ヲ傳ヘムトスル意思ヲ有セシニアラス況ンヤ「覆面ノ威嚇」ヲ加ヘムトスルカ如キ意思ニ於テヲヤ本使ハ却テ最モ切實ナル敬意ト信賴ト坦懷ノ精神ヲ以テ該字句ヲ用ヒタルモノナリ而シテ此ノ精神ヲ以テ起草セラレタルカ故ニ本使ハ貴官ニ宛テタル書翰ノ全文ヲ通シ右精神ノ流露シ居レルヲ希望ス斯ノ如キ精神ヲ以テ用ヒタル字句カ現在流布セラルル批難ト解釋トヲ生スルニ至ラムトハ本使ノ毫モ想像セサリシ所ナリ本使カ毫モ米國民若ハ米國政府ノ感情ヲ害スルカ如キ原因ヲ與フルノ意思ヲ有セサリシコトハ貴官ノ既ニ熟知セラルル所ニシテ本使カ貴官ニ宛テタル書翰ヲ草スルニ當リ抱懷シ居タル精神竝本使ノ用ヒタル字句ニ依リ貴官ニ傳ヘムト欲シタル字義ニ付誤解セラルルコトナカルヘキハ本使ノ確ク信シテ疑ハサル所ナリ然ルニ上院ニ於ケル公開討議中現レタル事實ニ顧ミ本使ハ右ノ字句ハ決シテ今回云爲セラルルカ如キ意義ニ用ヒラレタルニアラサルコトヲ記錄ニ留メムカ爲之ヲ貴官ニ通告スルノ要アリト感スルモノナリ

右申進ス　敬具

千九百二十四年四月十七日

華盛頓日本大使館ニ於テ

埴　原　正　直

國務長官

ヒューズ閣下

NOTE ADDRESSED TO SECRETARY OF STATE HUGHES BY AMBASSADOR HANIHARA ON APRIL 17.

Japanese Embassy,
Washington, April 17, 1924.

My dear Secretary,

In reading the Congressional record of April 14, 1924, I find that the letter I addressed to you on April 10, a copy of which you sent to the Chairman of the Senate Committee on Immigration, was made a subject of discussion in the Senate.

In the record it is reported that some of the senators expressed the opinion which was apparently accepted by many other members of that body that my letter contained "a veiled threat." As it appears from the record that it is the phrase "grave consequences" which I used in the concluding part of my letter that some of the senators construed as "a veiled threat", I may be permitted to quote here full text of the sentence which contained the words in question.

"Relying upon the confidence you have been good enough to show me at all times, I have stated or rather repeated all this to you very candidly and in a most friendly spirit, for I realize, as I believe you do, the grave consequences which the enactment of the measure retaining that particular provision would inevitably bring upon the otherwise happy and mutually advantageous relations between our two countries."

Frankly I must say I am unable to understand how the two words read in their context could be construed as meaning anything like a threat. I simply tried to emphasize the most unfortunate and deplorable effect upon our traditional friendship which might result from the adoption of a particular clause in the proposed measure. It would seriously impair the good and mutually helpful relationship and disturb the spirit of mutual regard and confidence which characterizes our intercourse of the last three quarters of a century and which was considerably strengthened by the Washington Conference, as well as by the most magnanimous sympathy shown by your people in the recent calamity in my country. Whereas there is otherwise every promise of hearty cooperation between Japan and the United States of America which is believed to be essential to the welfare not only of themselves but of the rest of the world it would create or at least tend to create an unhappy atmosphere of ill-feeling and misgiving over the relations between our two countries.

As the Representative of my country whose supreme duty is to maintain and if pos-

sible to draw still closer the bond of friendship so happily existing between our two peoples, I honestly believe such effects as I have described to be "grave consequences". In using these words which I did quite ingenuously, I had no thought of being in any way disagreeable or discourteous and still less of conveying "a veiled threat." On the contrary, it was in a spirit of the most sincere respect, confidence and candor that I used these words which spirit I hope is manifest throughout my entire letter; for it was in that spirit that I wrote you. I never suspected that these words used as I used them would ever afford an occasion for such comment or interpretation as has been given them.

I know I am sure that nothing could be farther from my thought than to give cause for offence to your people or their Government and I have not the slightest doubt that you have no such misunderstanding as to either the spirit in which I wrote the letter in question to you or the meaning I intended for the phrase that I used.

In view, however, of what has transpired in the course of the public discussion in the Senate, I feel constrained to write you as a matter of record that I did not use the phrase in question in such sense as has been attributed to it.

I am, my dear Mr. Secretary,

Yours very truly,

(Signed) M. Hanihara.

Honorable Charles E. Hughes,
Secretary of State.

米國國務長官ヨリ在米埴原大使宛

四月十八日附公文譯文

（大正十三年七月外務省編纂「一九二四年米國移民法制定及之ニ關スル日米交渉經過」參照）

本官ハ目下審議中ノ移民法案ニ關スル貴大使ノ最近公文ノ趣旨ニ付率直且友誼的ニ說明スル所アリタル本月十七日附貴翰ヲ接受セルヲ欣幸トス本官ハ「重大ナル結果」ナル文字ヲ讀ムニ當リ文脈上及貴大使カ本官トノ久シキ交誼中常ニ表示セラレタル友情ト了解トノ精神ニ鑑ミ本官ハ右ノ字句ハ當然貴大使カ陳述セラレタル意義ニ於テ解セラルヘキモノナルコトヲ毫モ疑フ所アラサリシナリ而シテ又貴大使カ毫モ何等威嚇　意ヲ寓シ又ハ言明セムトスルノ意思ヲ有セラレサリシモノト確信シ居タリシコトヲ茲ニ貴大使ニ確言シ得ルヲ欣幸トス尙本官ハ貴大使カ常ニ日米兩國民ノ最モ親善ナル關係ノ增進ヲ念トセラルルヲ大ニ多トスルモノナルコトヲ茲ニ附言スルヲ欣幸トス

華盛頓國務省ニ於テ
チャールズ・イー・ヒューズ

右申進ス　敬具
千九百二十四年四月十八日

日本國大使
埴原正直閣下

REPLY OF SECRETARY OF STATE HUGHES TO AMBASSADOR HANIHARA ON APRIL 18.

Department of State,
Washington, April 18, 1924.

My dear Mr. Ambassador:

I am gratified to receive your letter of the 17th instant with your frank and friendly explanation of the intent of your recent note in relation to the pending Immigration Bill.

It gives me pleasure to be able to assure you that reading the words "grave consequences" in the light of their context, and knowing the spirit of friendship and understanding you have always manifested in our long association, I had no doubt that these words were to be taken in the sense you have stated, and I was quite sure that it was far from your thought to express or imply any threat. I am happy to add that I have deeply appreciated your constant desire to promote the most cordial relations between the peoples of the two countries.

(Signed) Charles E. Hughes.

His Excellency Mr. Masanao Hanihara,
Ambassador of Japan.

公表第七號　（四月二十九日）

日米仲裁裁判條約ノ有效期間第三回延長ニ關スル協約批准書交換

明治四十一年五月五日華盛頓ニ於テ調印セラレタ日米仲裁裁判條約ハ法律問題又ハ兩國間ノ條約ノ解釋ニ關シ兩國間ニ起生シ外交上ノ手段ニ依ツテ處理ノ出來ナイ紛議ハ兩國ノ緊切ナ利益、獨立若ハ名譽ニ關シ又ハ第三國ノ利益ニ關係アル場合ヲ除キ千八百九十九年七月二十九日ノ國際紛爭平和的處理條約ニ依リ海牙ニ設置セラレタ常設仲裁裁判所ニ付セラレルコトヲ約シタモノデ最初其ノ批准書交換ノ日即チ明治四十一年八月二十四日カラ五年間有效ト爲シタカ其ノ後五年毎ニ二回ノ更新ヲ重ネテ客年八月二十四日マデ其ノ效力ヲ持續シテ來タ然ルニ右期間滿了ニ先チ日米仲裁裁判條約第三回更新方ニ關シ日米兩國間ニ議カ整ツタノデ客年八月二十三日華盛頓ニ於テ埴原大使ト米國國務卿トノ間ニ日米仲裁裁判條約ノ有效期間第三回延長ニ關スル協約ニ調印シ同時ニ米國元老院カ常設國際司法裁判所ヲ海牙ニ設置シタ千九百二十年十二月十六日ノ議定書ニ對ス

ル米國ノ加入ヲ一定ノ條件ノ下ニ協賛ヲ與ヘタ場合ニハ今回更新スル仲裁裁判條約ニ掲ケタ紛議ハ之ヲ常設仲裁裁判所ニ付託スルノヲ改メテ常設國際司法裁判所ニ付託スルコトトスル爲本條約ヲ改訂シ又ハ別箇ノ協約ヲ締結スルコトヲ考慮スルニ日本政府ハ異議カナイト云フ了解ニ付公文ヲ交換シタノテアツタカ右ノ協約ノ批准書ハ四月二十六日華盛頓ヲ埴原大使ト米國國務卿トノ間ニ交換ヲ了シタノテ日米仲裁裁判條約ハ客年八月二十四日カラ更ニ五年間有效トセラレルニ至ツタ

公表第八號　（五月二十日）

佛領印度支那總督來朝ニ關スル公表書

日佛間ノ親善關係ヲ密接ナラシメムカ爲ニハ通商經濟關係ヲ增進セシムルニ在ルハ勿論ナル次第ナルヲ以テ今次印度支那總督來朝ヲ機會トシテ日本政府ハ印度支那總督トノ間ニ明治四十年以來懸案トナレル佛領印度支那ノ日佛通商條約加入ヲ如何ニセハ容易ナラシメ得ヘキヤニ付非公式ニ論議セムコトヲ欲シタルカ印度支那總督ニ於テモ之ヲ快諾シ松平外務次官、佐分利大使館參事官及川島臨時平和條約事務局第二部長ノ日本側委員ハ印度支那側委員「キルシエー」稅務長官及「ロアイエー」商務官ト之カ爲外務省ニ於テ數次會見ヲ累ネ隔意ナキ意見ヲ交換シ又和衷協同ノ精神ヲ以テ佛領印度支那ト日本トノ通商經濟關係ヲ增進スル各種ノ方法殊ニ印度支那カ從來條約加入ヲ困難トスル原因トナリタル關稅問題ニ付詳細ニ論議スル所アリ其ノ結果日本重要品カ佛領印度支那ニ於テ受クヘキ關稅上ノ待遇竝印度支那特產品カ日本ニ於テ受クヘキ關稅上ノ待遇ニ付略協定ニ達シ得ヘキ基礎ヲ發見スルニ至リタリ尤モ右今次ノ交渉ハ何等兩國政府ヲ拘束セサル條件

シ下ニ非公式ニ行ハレタルモノナルモ思フタ通ニ近キ將來ニ於テ之ヲ基礎トシ滿足ナル確定的協定ニ達スルコトトナルヿシト思考セラル

尙今次ノ印度支那總督ノ來朝ヲ機トシ主トシテ論議セラレタルハ前記ノ如ク佛領印度支那ノ日佛通商條約加入ノ問題ニシテ他ニ重要ナル一般政治又ハ移民ノ問題等ハ論議セラレタルコトナシ

OFFICIAL COMMUNIQUÉ OF THE FOREIGN OFFICE, MAY 20, 1924.

As it goes without saying that the closer intimacy of Japan and France lies in the promotion of the commercial and economic relations existing between the two countries, the Japanese Government have been animated by a desire to discuss informally, on the occasion of the present visit of M. Merlin, Governor-General of French Indo-China, the means to facilitate the inclusion of that French possession within the scope of the Franco-Japanese Commercial Treaty, which question has been pending between the Government and the Government-General of Indo-China since 1907. The Governor-General expressed his willingness to do so, and, in consequence, Vice-Minister for Foreign Affairs Matsudaira, Councillor of the Embassy Saburi and Director of the Second Division of the Bureau of Peace of Treaties Kawashima, Japanese Experts, several times met Chief of the Customs Kircher and Commercial Attaché Royer, Experts of Indo-China, at the Foreign Office. At these meetings the Experts exchanged views fully and frankly and exhaustively discussed, in a spirit of amity and cooperation, the various means for the promotion of the commercial and economic relationships between Japan and Indo-China, especially the question of customs tariff, which has been instrumental in making it difficult to bring Indo-China into the sphere of the commercial treaty now in force between Japan and France. As a result, a basis has been found on which an agreement may be concluded between the Japanese Government and the Government-General of Indo-China as regards a customs treatment accorded the principal products of Japan in Indo-China and that accorded the staple products of Indo-China in Japan. The present negotiations have been held in an unofficial manner and under such conditions as will not bind the respective Governments in the least, but it is thought that a satisfactory and concrete agreement may probably be reached on the basis thereof in the near future.

What has been discussed during the visit of the Governor-General of Indo-China chiefly concerns the aforementioned question of extending the scope of the existing commercial treaty between Japan and France and no important question relative to international politics generally or emigration has come under consideration.

公表第九號　（五月二十八日）

米國移民法成立ニ關スル外務省公表書

曩ニ米國議會ヲ通過シタル移民制限法案ハ五月二十六日大統領ノ署名ヲ經テ茲ニ法律トナレリ同法中ニ包含セラルル日本人排斥條項ハ本年七月一日ヨリ實施セラルルコトトナリタルカ同條項ニ依リ本邦人ハ再入國者、官吏、旅行者トシテ又ハ商用若ハ遊覽ノ爲一時渡米スル者、現行條約ノ規定ノ下ニ全然商用ノ爲渡米スル者、學生、教授、宗教家等ノ例外ヲ除キ米國ニ入國スルコトヲ禁止セラルルニ至レリ

帝國政府ハ客年十二月同法案ノ原案タル「ジョンソン」移民制限法案カ米國下院ニ提出セラレテ以來日本人入國禁止條項ニ對シ屢次且眞摯ニ米國政府ノ注意ヲ喚起シ來レリ右帝國政府ノ申入アリ且又米國大統領及國務長官ニ於テモ本邦人差別的條項ノ成立ヲ阻止スル爲再三熱心ニ努力スル所アリタルニ拘ラス遂ニ之カ成立ヲ見タルハ帝國政府ノ深ク遺憾トスル所ナリ

帝國政府ハ我國民ニ對スル右差別的立法ニ對シテハ依然トシテ強硬ナル反對ノ態度ヲ持續スル方

針ナルヲ以テ此ノ際更ニ米國政府ニ對シ嚴肅ナル抗議提出方ヲ在米帝國大使ニ訓令セリ

OFFICIAL COMMUNIQUÉ OF THE FOREIGN OFFICE.

May 28, 1924.

The Immigration Bill, which had passed the United States Congress, was signed by the President May 26 and was made into a law. The exclusion provision affecting Japanese, will come into force from July 1 of this year, and, by virtue of this provision, the Japanese people, with the exception of those already resident in the United States and returning from temporary absence, Government officials, those going to that country as tourists or temporarily for business or pleasure, those who go solely to carry on trade in pursuance of existing Treaty provisions, students, professors, and ministers of religion, have been prohibited from entering the United States.

Since the introduction of the Johnson Immigration Bill which was the base of the present Act into the American House of Representatives last December, the Japanese Government have frequently and earnestly called the attention of the United States Government to the Japanese exclusion provision. The Japanese Government, therefore, deeply regret that this provision has been enacted in spite of their representations and of the vigorous and repeated endeavors which the President and the Secretary of State of the United States have made to prevent the inclusion of the discriminatory provision in question.

The Japanese Government remain unshaken in their opposition to discriminatory legislation against Japanese, and they have instructed the Japanese Ambassador in Washington to lodge a solemn protest with the United States Government on this occasion.

公表第十號　（六月一日）

在米埴原大使ヨリ米國國務長官宛

五月三十一日附公文　譯文（大正十三年七月外務省編纂「一九二四年米國移民法制定及之ニ關スル日米交渉經過」參照）

千九百二十四年五月二十六日裁可セラレタル千九百二十四年移民法第十三條（C）項ニ包含セラルル日本人差別的規定ニ關シ本使ハ茲ニ政府ノ訓令ニ依リ日本ノ立場ヲ闡明セル覺書ヲ閣下ニ提出スルノ光榮ヲ有ス

尙日本政府カ右覺書ヲ米國政府ニ提出スルハ全ク虛心坦懷友好ノ精神ニ出ツルモノナルヲ以テ米國政府ニ於テモ同一ノ精神ニ依リ之ヲ接受セラルヘキヲ確信シ此ノ旨ヲモ附言スヘキコトヲ命セラレタリ

本使ハ茲ニ閣下ニ向テ重テ敬意ヲ表ス

千九百二十四年五月三十一日

華盛頓日本大使館ニ於テ

埴原正直

國務長官

「チャールス、イー、ヒューズ」閣下

覺書

一、日本政府ハ米國ニ於テ「千九百二十四年移民法」ト稱スル法律制定セラレタルノ報ニ接シ憂慮ニ堪ヘス本法中ノ差別的條項卽チ第十三條(C)項ハ歸化不能外國人ニ付他ノ種類ノ外國人ト區別シテ入國ノ禁止ヲ規定シ其ノ適用ハ日本人ヲ目的トスルノ意圖ニ出テタルコト明白ナルヲ以テ日本政府ハ曩ニ米國議會ニ於ケル本法案ノ討議中機ヲ失セス該差別的條項ニ對スル米國政府ノ注意ヲ喚起シタリ然ルニ右日本政府ノ申入竝大統領及國務卿ノ勸告ハ共ニ米國議會ノ無視スル所トナリ遂ニ同條項ハ米國成文法ノ一部ヲ成スニ至レリ

二、凡ソ國際間ノ差別待遇カ其ノ形式又ハ事項ノ如何ヲ問ハス假令純然タル經濟上ノ理由ニ基ク場合ニ於テモ正義公平ノ原則ニ違反スルコトハ敢テ言說ヲ要セス惟フニ正義公平ノ原則ハ列國親交ノ根柢ナリ現今一般ニ承認セラレ米國ノ終始支持セル機會均等主義亦實ニ此ノ原則ニ基礎ヲ有ス殊ニ人種ニ因ル差別待遇ハ不快ノ念ヲ一層深カラシム千九百十二年米國政府ハ露國ニ於テ特殊人種ノ外國人カ不公平ナル待遇ヲ受クルヤ之ニ對スル抗議トシテ千九百十一年十二

月三十一日ノ下院ノ決議ニ從ヒ米露通商條約ヲ廢棄セリ是レ米國政府自ラ人種ニ因ル差別待遇ニ對シ强ク不滿ノ意ヲ示セルモノナリ然ルニ今ヤ米國新移民法ハ之ト同樣ナル差別待遇ノ規定ヲ設ケタリ歸化法ニ關スル米國最高法院ノ解釋ニ顧ミルニ右移民法ハ外國人ニ對スル米國入國ノ許否ヲ以テ個人ノ具備スル資格ノ適否ニ依ルコトナク入國請求者ノ屬スル人種ノ如何ニ依リテ決定セムトスルノ法則ヲ樹立セルコト疑ヲ容レス殊ニ曩ニ公表セラレタル千九百二十四年二月八日附下院移民歸化委員長宛國務長官ノ書翰中ニモ指摘セラレタルカ如ク日本人以外ノ亞細亞人種ハ從來ノ諸法律ニ依リテ入國ヲ禁止セラルルモノナルヲ以テ前顯新移民法中ノ人種的區別ハ其ノ實質ニ於テ日本人ノ入國禁止ヲ目的トセルモノト思惟セラル

三、日本人ハ到底米國ノ生活及理想ニ同化スルモノニ非ストノ說ハ從來米國ニ於テ此ノ種ノ差別的措置ヲ辯護セムカ爲ニ屢々唱ヘラレタル所ナルモ第一ニ外國系移民ニ對シ單ニ人生一代ノ短期間內ニ新ナル環境ニ同化セムコトヲ期待スルカ如キハ難キヲ求ムルモノト謂ハサルヘカラス顧ミルニ日本人カ多少米國ニ移住スルニ至レルハ十九世紀ノ末期數年以來ノ事ニシテ此ノ際米國ニ於テ各人種ノ同化力ニ付日本人ト歸化權ヲ有スル外國移民トヲ比較シテ斷定的判斷ヲ下スハ早計ニ失スルモノト思考ス

四、將又同化ノ實現ハ公正平等ナル待遇ノ溫情アル雰圍氣中ニ於テノミ之ヲ期スルコトヲ得ヘク約二十年間米國ノ若干諸州ニ於テ日本人カ法律上並事實上蒙リ來レルカ如キ冷酷ナル差別待遇ノ下ニ於テハ同化力ノ自然的發達ノ阻碍セラルヘキハ當然ナリ一社會自ラ或外國系分子ヲ爾餘ノ分子ヨリ隔離シナカラ其ノ外國系分子カ該社會組織中ニ融合セサルヲ批難スルカ如キハ公平ノ所見ニ非サルヘシ從テ日本人ニ對スル非同化性ノ論斷ハ根本的ニ不正ナルカ然ラサレハ少クトモ時期尙早タルヲ免レス

五、翌ッテ日米間ニ於ケル通商條約ヲ考察スルニ千八百九十四年ノ舊條約第二條中ニハ左記ノ但書存セリ

「但シ本條及前條ノ規定ハ兩締盟國ノ各方ニ於テ商業、勞働者ノ移住、警察及公安ニ關シ現ニ行ハレ又ハ將來制定セラルヘキ法律勅令及規則ニハ何等ノ影響ヲ及ホスコトナシ」

千九百十一年條約改訂ノ際日本政府ノ要求ニ依リ新條約ニ於テハ右但書ヲ削除シ入國、旅行及居住ノ自由ヲ保障セル通則ハ依然之ヲ存スルコトトナリ之ト同時ニ日本政府ハ條約ノ附屬文書トシテ千九百十一年二月二十一日附ヲ以テ左記ノ宣言ヲ爲セリ

「本日日米通商航海條約ニ調印セムトスルニ當リ華盛頓駐劄日本國特命全權大使タル下名ハ本國政府ノ委任ヲ受ケ左ノ通宣言スルノ光榮ヲ有ス

日本帝國政府ハ勞働者ノ合衆國移住ニ關シ過去三年間實行シ來タリタル制限及取締ヲ從來ト均シク有效ニ維持スルノ覺悟ナリ」

六、新條約ノ批准ヲ交換スルニ當リ國務長官代理ハ千九百十一年二月二十五日日本大使ニ通知スルニ「米國上院ニ於テハ該條約ハ千九百七年二月二十日裁可セラレタル外國人ノ合衆國移住取締法ト稱セラルル法律ノ何レノ條項ヲモ廢止又ハ變更スルモノト認ムヘカラストノ了解ノ下ニ條約批准ニ對スル協贊ヲ與ヘ且此ノ了解ハ批准書ノ一部ヲ成スヘキコトヲ決議セル旨」ヲ以テシ且左ノ如ク附言セリ

「本法ハ合衆國ニ移住スヘキ總テノ國ノ移民ニ適用セラルルモノニシテ何レノ國ノ利益ノ爲ニモ差別待遇ヲ設定セルモノニ非サルヲ以テ貴國政府ニ於テモ右了解ヲ批准書中ニ記載スルニ付別段ニ異議ナキモノト思惟ス」

日本政府ハ斯ノ如ク米國政府カ日本人ニ對スル何等差別的ノ法律規定ナキコトヲ保障セルニ信賴シ前記ノ了解ヲ批准書中ニ記載スルコトニ同意シタル次第ナリ

七、幾上ノ交渉ニ際シ終始日本政府ノ念頭ヲ離レサリシ一點ハ移民ニ關スル合衆國ノ差別的立法

ニ對シ本邦人ヲ擁護スルニ在リタルコトハ前述ノ歴史ニ照シ自ラ明白ナリ右日本ノ立場ハ米政府ノ十分理解シ諒悉シタル所ニシテ此ノ點ハ現行條約ノ調印及批准交換ニ方リ常ニ考量中ニ加ヘラレタリ事情斯ノ如クナルヲ以テ千九百二十四年移民法第十三條（C）項ノ規定ト千九百十一年條約ノ規定トノ牴觸及其ノ牴觸ノ範圍ニ關スル專門的法理問題ノ提起ハ他日ノ機會ニ留保スルモ新立法カ右條約締結ノ根柢タル精神竝經緯ヲ全然無視セルモノナルコトハ玆ニ日本國政府ノ指摘セムトスル所ナリ

八、次ニ所謂紳士協約ナルモノヲ考査スルニ同協約ハ一方ニ於テ日本移民ニ關シ米國政府ノ認メタル現實事態ノ須要ニ副ハムカ爲又他方合衆國ニ於テ日本人民ノ正當ナル感情ヲ害スヘキ排斥法制定ノ要求アルヘキヲ豫防セムカ爲按出セラレタルモノニシテ千九百八年ヨリ實施セラレタルカ爾來著々其ノ效果ヲ發揮セリ合衆國移民長官年報中ニ掲載セラレタル統計ニ徵スルニ千九百八年ヨリ千九百二十三年ニ至ル十五年間ニ米本國ニ入國ヲ許可セラレタル日本人ハ同國ヨリ出國シタル日本人ニ比シ數ニ於テ僅々八千六百八十一人ノ增加ヲ見タルニ過キス而モ右數字中ニハ勞働移民ノミナラス商人、學生及其ノ他ノ非勞働者及非移民ヲモ包含シ此等ノ資格ヲ有スル者ノ員數カ兩國間ニ於ケル商業的、學問的竝社會的關係ノ發達ト共ニ增加スヘキハ自然ノ理ナリ加之若シ斯クノ如キ少數ノ者スラモ合衆國ニ取リテ好マシカラストスルニ於テハ日本政府ハ移民ヲ更ニ制限スルノ目的ヲ以テ現存取極ヲ改訂スルノ意向アルコトヲ既ニ表示セリ然ルニ不幸ニモ日本人ニ對シテ差別待遇ヲ設クル新法律ノ規定ハ竟ニ日本國ニ於テ紳士協約ニ因ル實務ノ繼續承認ヲ不可能ナラシムルニ至レリ日米兩國政府間ニ於テ長時日ニ亙リ反覆討議ノ末成立セル友好的協調ノ了解ハ今ヤ米國ノ立法行爲ニ依リ突如トシテ破壞セラレ日本カ兩國ノ親善關係ノ爲ニ過去十六箇年以上耐忍ヲ以テ誠實且正確ニ遵守シ來レル自制的取締モ今ヤ徒爾ニ終レルカ如シ

九、根本論トシテハ各國ノ版圖內ニ於ケル移民入國ノ制限及取締カ國家固有ノ主權內ニ屬スルコトハ玆ニ之ヲ否定セムトスルモノニ非ス然レトモ右權利行使ニ當リ外國ノ正當ナル自尊心國際間ノ了解又ハ禮讓ノ通義ヲ無視シ外國ニ對シテ明ニ公正ヲ失スルノ措置アルニ於テハ問題ノ性質トシテ固ヨリ外交的交涉及解決ニ訴フルコトヲ得サルヘカラス仍テ日本政府ハ玆ニ千九百二十四年ノ移民法第十三條（C）項ニ包含セラルル差別的條項ニ對シ嚴肅ナル抗議ヲ持續シ之ヲ記錄ニ留メ且米國政府ニ對シ差別的待遇除去ノ爲一切ノ適當ナル措置ヲ執ラレムコトヲ要請スルヲ以テ其ノ當然ノ責務ナリト思考ス

NOTE ADDRESSED TO SECRETARY OF STATE HUGHES BY AMBASSADOR HANIHARA ON MAY 31.,

Japanese Embassy,

Washington, May 31, 1924.

Sir,

In pursuance of instructions from my Government, I have the honor to present to you herewith a Memorandum enunciating the position of Japan on the subject of the discriminatory provisions against Japanese which are embodied in Section 13 (c) of the Immigration Act of 1924, approved May 26, 1924.

I am instructed further to express the confidence that this communication will be received by the American Government in the same spirit of friendliness and candor in which it is made.

Accept, Sir, the renewed assurances of my highest consideration.

(Signed) Masanao Hanihara.

Honorable Charles E. Hughes,
Secretary of States.

MEMORANDUM.

The Japanese Government are deeply concerned by the enactment in the United States of an act entitled the "Immigration Act of 1924". While the measure was under discussion in Congress they took the earliest opportunity to invite the attention of the American Government to a discriminatory clause embodied in the Act, namely, Section 13 (c), which provides for the exclusion of aliens ineligible to citizenship, in contradistinction to other classes of aliens, and which is manifestly intended to apply to Japanese. Neither the representations of the Japanese Government, nor the recommendations of the President and of the Secretary of State were heeded by Congress, and the clause in question has now been written into the statutes of the United States.

2. It is, perhaps, needless to state that international discriminations in any form and on any subject, even if based on purely economic reasons, are opposed to the principles of justice and fairness upon which the friendly intercourse between nations must, in its final analysis, depend. To these very principles the doctrine of equal opportunity now widely recognized, with the unfailing support of the United States, owed its being. Still more unwelcome are discriminations based on race. The strong condemnation of such practice evidently inspired the American Government in 1912 in denouncing the commercial treaty between the United States and Russia, pursuant to the resolution of the House of Representatives of December 31, 1911, as a protest against the unfair and unequal treatment of aliens of a particular race in Russia. Yet discrimination of a similar character is expressed by the new statute of the United States. The Immigration Act of 1924, considered in the light of the Supreme Court's interpretation of the

naturalization laws, clearly establishes the rule that the admissibility of aliens to the United States rests, not upon individual merits or qualifications, but upon the division of race to which appliciants belong. In particular, it appears that such racial distinction in the Act is directed essentially against Japanese, since persons of other Asiatic races are excluded under separate enactments of prior dates, as was pointed out in the published letter of the Secretary of State of February 8, 1924, to the Chairman of the Committee on Immigration and Naturalization of the House of Representatives.

3. It has been repeatedly asserted in defence of these discrimininatory measures in the United States that persons of the Japanese race are not assimilable to American life and ideals. It will, however, be observed, in the first place, that few immigrants of a foreign stock may well be expected to assimilate themselves to their new surroundings within a single generation. The history of Japanese immigration to the United States in any appreciable number dated but from the last few years of the Nineteenth Century. The period of time is too short to permit of any conclusive judgment being passed upon the racial capabilities of these immigrants in the matter of assimilation, as compared with alien settlers of the races classed as eligible to American citizenship.

4. It should further be remarked that the process of assimilation can thrive only in a genial atmosphere of just and equitable treatment. Its natural growth is bound to be hampered under such a pressure of invidious discriminations as that to which Japanese residents in some States of the American Union have been subjected, both at law and in practice, for nearly twenty years. It seems hardly fair to complain of the failure of foreign elements to merge in a community, while that community chooses to keep them apart from the rest of its membership. For these reasons the assertion of Japanese non-assimilability seems at least premature, if not fundamentally unjust.

5. Turning to the survey of commercial treaties between Japan and the United States, Article II of the Treaty of 1894 contained a clause to the following effect:—

> "It is, however, understood, that the stipulations contained in this and the preceding Article do not in any way affect the laws, ordinances, and regulations with regard to trade, the immigration of laborers, police and public security, which are in force or may hereafter be enacted in either of the two countries."

When the Treaty was revised in 1911, this provisory clause was deleted from the new Treaty at the request of the Japanese Government, retaining the general rule which assures the liberty of entry, travel, and residence; and, at the same time, the Japanese Government made the following declaration, dated February 21, 1911, which is attached to the Treaty:—

> "In proceeding this day to the signature of the Treaty of Commerce and Navigation between Japan and the United States, the undersigned, Japanese Ambassador in Washington, duly authorized by his Government, has the honor to declare

that the Imperial Japanese Government are fully prepared to maintain with equal effectiveness the limitation and control which they have for the past three years exercised in regulation of the emigration of laborers to the United States."

6. In proceeding to the exchange of ratifications of the revised Treaty, the Acting Secretary of State communicated to the Japanese Ambassodor on February 25, 1911, that the advice and consent of the Senate to the ratification of the Treaty "is given with the understanding, which is to be made part of the instrument of ratification, that the Treaty shall not be deemed to repeal or affect any of the provisions of the Act of Congress entitled 'An Act to Regulate Immigration of Aliens into the United States', approved February 20, 1907". The Acting Secretary of State then added:—

"Inasmuch as this Act applies to the immigration of aliens into the United States from all countries and makes nodiscrimination in favor of any country it is not perceived that your Government will have any objection to the understanding being recorded in the instrument of ratification."

Relying upon the assurance thus given by the American Government of the absence of any statutory discrimination against Japanese, the Japanese Government consented to have the above quoted understanding recorded in the instrument of ratification.

7. The foregoing history will show that, throughout these negotiations, one of the chief preoccupations of the Japanese Government was to protect their nationals from discriminatory immigration legislation in the United States. That position of Japan was fully understood and appreciated by the American Government, and it was with these considerations in view that the existing Treaty was signed and the exchange of its ratifications effected. In this situation, while reserving for another occasion the presentation of the question of legal technicality, whether and how far the provisions of Section 13 (c) of the Immigration Act of 1924 are inconsistent with the terms of the Treaty of 1911, the Japanese Government desire now to point out that the new legislation is in entire disregard of the spirit and circumstances that underlie the conclusion of the Treaty.

8. With regard to the so-called "Gentlemen's Agreement", it will be recalled that it was designed, on one hand, to meet the actual requirements of the situation as perceived by the American Government, concerning Japanese immigration, and, on the other, to provide against the possible demand in the United States for a statutory exclusion which would offend the just susceptibilities of the Japanese people. The arrangement came into force in 1908. Its efficiency has been proved in fact. The figures given in the Annual Reports of the United States Commissioner-General of Immigration authoritatively show that during the fifteen years from 1908 to 1923, the net excess, in number, of Japanese admitted to Continental United States, over those who departed was no more than 8,681 all told,—including not only immigrants of the laboring class, but

also merchants, studens, and other non-laborers and non-immigrants, the number of whom naturally increases with the growth of commercial, intellectual, and social relations between the two countries. If even so limited a number should in any way be found embarrassing to the United States, the Japanese Government have already manifested their readiness to revise the existing arrangement with a view to further limitation of emigration. Unfortunately, however, the sweeping provisions of the new Act, clearly indicative of discrimination against Japanese, have made it impossible for Japan to continue the undertakings assumed under the Gentlemen's Agreement. An understanding of friendly cooperation reached after long and comprehensive discussions between the Japanese and American Governments has thus been abruptly overthrown by legislative action on the part of the United States. The patient, loyal, and scrupulous observance by Japan, for more than sixteen years, of these self-denying regulations, in the interest of good relations between the two countries, now seems to have been wasted.

9. It is not denied that, fundamentally speaking, it lies within the inherent sovereign power of each state to limit and control immigration to its own domains. But when in the exercise of such right, an evident injustice is done to a foreign nation in disregard of its proper self-respect, of international understandings or of ordinary rules of comity, the question must necessarily assume an aspect which justifies diplomatic discussion and adjustment. Accordingly, the Japanese Government consider it their duty to maintain and to place on record their solemn protest against the discriminatory clause in Section 13 (c) of the Immigration Act of 1924, and to request the American Government to take all possible and suitable measures for the removal of such discrimination.

別紙第二

（六月十一日）

新任幣原外務大臣談

帝國ノ外交ハ目下種々困難ナル問題ニ逢着シ居レルト共ニ將來ニ於テモ亦幾多ノ難關ニ遭遇スヘキハ當路モ亦國民モ深ク覺悟スルコトヲ要ス乍去今ヤ權謀術數的ノ政略乃至侵略的政策ノ時代ハ全ク去リ外交ハ正義平和ノ大道ヲ履ミテ進ムニアリテ帝國ノ進路ヲ開拓スルニ當リテノ信條亦之ヲ措イテ他ナシト確信ス如上ノ信念ヲ以テ進止セムカ異常ノ難局累起スルモ何等顧念憂慮スル所ナカルヘシ要スルニ日本ハ巴里講和條約華盛頓會議諸條約諸決議等ニ明示又ハ默示セラレタル崇高ナル精神ヲ遵守擴充シテ帝國ノ使命ヲ全ウスルコトニ努力セムト欲スルモノナリ

INTERVIEW GIVEN TO THE PRESS BY THE FOREIGN MINISTER.

June 11, 1924.

The Ministry has changed, and I have been called upon to assume the direction of Japan's foreign affairs. I am fully sensible of heavy responsibilities attending my new post. I am, however, encouraged by the thought that in following the path of peace, justice, and honor, Japan may face without fear and without misgiving whatever the future has in store for her.

Having been stationed in many parts of the world in the discharge of diplomatic and consular functions, I have been strengthened in my conviction that there are infinitely more points of similarity than those of difference in human nature, among peoples divided by race, by religion, and by language. It always seems to me that, endowed as they are with these points of similarity, nations should be able to work out their common meeting ground of good fellowship. Their mutual estrangement begins to appear when the points of difference only are unduly magnified and emphasized.

The world is being gradually awakened to a broader vision of international solidarity. The principle of "live and let live" is gaining wider recognition. The days of aggression and of conquest are over. Nor will any policy of self-assertion, without due regard to the rightful positions of others, stand the test of time. It is bound in the end to yield to the adverse verdict of enlightened public opinion.

To the nobler principles expressed or implied in the Covenant of the League of Nations and in the Treaties of Washington we shall adhere loyally and unswervingly, extending to all peoples the hand of friendship and good-will. We believe that, in doing so, we shall be serving the true and lasting interests of our own country, no less than those common to all mankind.

公表第十一號　（六月十三日）

日芬新通條約調印

芬蘭國ハ歐洲戰亂ノ際成立シタル新興國ナルカ帝國トノ通商關係ハ漸次增進ノ見込アリ從テ豫メ兩國ニ於ケル國民及會社ノ地位竝通商航海ノ關係ヲ確立シ置クノ必要アルト共ニ兩國カ無條約關係ニアル結果現ニ兩國中一方ノ商品カ他ノ一方ニ於テ關稅其ノ他ニ關シ不利ナル待遇ヲ受ケ居ル情態ヲ除去スル爲曩ニ帝國政府ニ於テハ同國ト通商航海條約ヲ締結スルヲ可ナリト認メ昨年春以來在瑞典烈公使ヲシテ「ストックホルム」又ハ芬蘭國首都ニ於テ芬蘭國代表者ト之カ締結ノ商議ヲ爲サシメ爾來累次ノ交渉ヲ經タリシカ遂ニ本月七日芬蘭國首都ニ於テ之カ調印ヲ了シタリ

抑モ本條約ハ大正十一年十二月七日「ワルソー」ニ於テ調印セラレタル日本波蘭間通商航海條約ニ範ヲ採リタルモノニシテ通商及航海ニ關スル諸般ノ事項ヲ規定セリ今其ノ大要ヲ摘記スレハ國法進由ノ下ニ身體及財產ノ保護、入國居住及出訴ノ自由、旅行住居商業及製造業ニ付國民待遇、產業生業職業及家屋製造店舗ノ借受所有ニ付最惠國待遇、動產及不動產ノ取得ニ付相互條件ニ依

ル最惠國待遇、其ノ處分ニ付國民待遇、租稅其ノ他ノ課金ニ付國民又ハ最惠國待遇ヲ規定スルノ外

(一)在居ノ臨檢搜索、貨物ニ對スル國內稅及船舶ニ依ル貨物ノ運送ニ付テハ國民待遇(二)强制兵役、輸出入稅、輸出入禁止、船舶ノ入港、繫留貨物ノ積卸ニ付テハ最惠國待遇ヲ保障シ其ノ他會社及船舶國籍ノ互認及沿岸貿易、國境貿易、內國民漁業ノ產物ニ關スル條約ノ適用除外等ヲ規定セリ

尙本條約ハ兩國ニ於テ批准ヲ經其ノ交換ノ日ノ後十日目ヨリ實施スル都合ニシテ有效期間ハ戰後ニ於ケル經濟情況ノ未タ安定セサルニ鑑ミ別ニ據置期間ヲ定メス六箇月ノ豫告ヲ以テ何時ニテモ廢棄シ得ヘキモノトセリ

公表第十二號　(六月十九日)

米國國務長官ヨリ在米埴原大使宛

六月十六日附回答文　譯文(大正十三年七月外務省編纂「一九二四年米國移民法制定及之ニ關スル日米交涉經過」參照)

本官ハ茲ニ千九百二十四年移民法第十三條(C)項ニ關スル日本政府ノ立場ヲ明瞭セル覺書ヲ受錄セル五月三十一日附貴翰ヲ受領スルノ光榮ヲ有ス

本官ハ右覺書カ虛心坦懷友好ノ精神ヲ以テ提出セラレタル旨ノ貴官ノ陳述ヲ欣然了承シ米國政府モ亦同一ノ精神ヲ以テ貴官ノ開陳セラレタル所見ヲ考慮スルモノナルコトヲ玆ニ確言ス

大統領ハ移民法案署名ニ際シ「ステートメント」ヲ公表シ右寫ハ曩ニ本官ヨリ貴官ニ手交シタル所ナルカ大統領ハ日本國民ニ對スル稱讚ノ念ト深厚ナル友誼ノ情トハ今後モ從來ニ於ケルト等シク依然十分ニ披瀝セラルヘク右情念カ排斥條項ノ制定ニ依リ何等變化ヲ生スルモノニ非サルコトヲ啟然確認セラレタリ試ミニ同條項ノ內容ヲ略述スレハ第十三條(C)項ハ歸化不能外國人ニ適用セラルルモノナルカ同條項ハ特定ノ例外ヲ設ケ次ニ列擧セラルルモノニ對シテハ排斥條項ヲ適用