

**CONFLICT OF POLICIES
IN ASIA**

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BY

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Author of "DEMOCRACY AND THE EASTERN QUESTION," "OUR
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FOREWORD

The purpose of this work is to present my conception of the policy and interest of the United States in the Orient; but attitudes and policies of other nations principally concerned also are indicated, and the relation of Europe to the question.

The survey includes the post-World War period from the peace conference at Paris to the present, with enough of background to make the argument comprehensible. In presenting the subject I have chosen often to give my own memoranda written contemporaneously with the events to which they apply, feeling that this method has the merit of revealing pointedly the political processes which motivated and shaped these events currently, and that this is the better way to demonstrate political science. The memoranda are unrevised and undeleted except here and there to omit repetitions and personal allusions.

Explanations and criticisms of American institutions are included because this work may be read in parts of the world where American administrative functions are not well understood; and they relate to the foreign policies of the American Government.

THOMAS F. MILLARD.

February, 1924.

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APPENDIX A

DECISIONS OF THE WASHINGTON CONFERENCE

A. ARMS TREATIES.

1. Four-Power Treaty and Annex.
2. The Five-Power Naval Treaty.
3. Submarines and Poison Gas Treaty.

B. TREATIES AND RESOLUTIONS AFFECTING CHINA.¹

1. The Nine-Power Treaty.
2. Chinese Tariff Treaty.
3. The Shantung Treaty.
4. Resolution regarding a board of reference to secure the principle of the Open Door in China.
5. Resolutions regarding Chinese railways.
6. Resolution regarding reduction of Chinese armies.
7. Resolution regarding publication of all international commitments affecting China.
8. Resolutions banishing spheres of influence.
9. Resolution regarding radio stations in China.

The nine commissions, conferences, or boards established, were:

1. A five-power conference (created by the naval limitation treaty), to meet eight years hence to discuss the question of naval armament anew.
2. A five-power commission to revise the rules of warfare in the light of the World War.
3. A board of reference to consider economic and railway questions in China—what may be called the Open Door Commission.
4. A nine-power commission on "extraterritoriality" rights in China.
5. A special conference to prepare the way for Chinese tariff revision.

¹ Resolutions were registered to abolish foreign post-offices in China as from January 1, 1923; to appoint a foreign judicial commission to visit China and investigate on the spot the question of the abolition of extraterritoriality; and to summon a conference of Chinese officials and foreign diplomats in Peking, to meet subject to China's request, in order to determine the procedure under which foreign military or police troops shall be withdrawn from China.

6. A separate commission to revise the existing Chinese tariff.
7. A conference of Chinese officials and foreign diplomats at Peking, to meet subject to China's request, in order to determine the procedure under which foreign military or police troops shall be withdrawn from China.
8. A conference of the managers of foreign wireless stations in China and the Chinese communications minister, to work out the details of radio regulation.
9. A joint Sino-Japanese Shantung Commission to determine the procedure under which Japan shall restore Kiaochow and Shantung rights to China.

A

1. THE FOUR-POWER TREATY AND ANNEX

THE UNITED STATES OF AMERICA, THE BRITISH EMPIRE, FRANCE AND JAPAN,

With a view to the preservation of the general peace and the maintenance of their rights in relation to their insular possessions in the region of the Pacific Ocean,

Have determined to conclude a treaty to this effect, and have appointed as their plenipotentiaries:

The President of the United States of America:

Charles Evans Hughes, Henry Cabot Lodge, Oscar W. Underwood and Elihu Root, citizens of the United States.

His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India:

The Right Hon. Arthur James Balfour, O.M., M.P., Lord President of his Privy Council.

The Right Hon. Baron Lee of Fareham, G.E.E., K.C.B., First Lord of his Admiralty.

The Right Hon. Sir Auckland Campbell Geddes, K.C.B., his Ambassador Extraordinary and Plenipotentiary to the United States of America.

And for the Dominion of Canada, the Right Hon. Robert Laird Borden, G.C.M.G., K.C.

For the Commonwealth of Australia, the Hon. Georges Foster Pearce, Minister of Defence.

For the Dominion of New Zealand, Sir John William Salmond, K.C., Judge of the Supreme Court of New Zealand.

For the Union of South Africa, the Right Hon. Arthur James Balfour, O.M., M.P.

For India, the Right Hon. Valingman Sankaranarayana Srinivasa Sastri, member of the Indian Council of State.

The President of the French Republic:

Mr. René Viviani, Deputy, former President of the Council of Ministers.

Mr. Albert Sarraut, Deputy, Minister of the Colonies.

Mr. Jules J. Jusserand, Ambassador Extraordinary and Plenipotentiary to the United States of America, Grand Cross of the National Order of the Legion of Honor.

His Majesty the Emperor of Japan:

Baron Tomosahuro Kato, Minister for the Navy, a member of the first class of the Imperial Order of the Grand Cordon of the Rising Sun with the Paulownia Flowers.

Baron Kijuro Shidehara, his Ambassador Extraordinary and Plenipotentiary at Washington, a member of the first class of the Imperial Order of the Rising Sun.

Prince Ivesato Tokugawa, a member of the first class of the Imperial Order of the Rising Sun.

Mr. Masanao Hanibara, Vice Minister for Foreign Affairs, a member of the second class of the Imperial Order of the Rising Sun.

Who having communicated their full powers, found in good and due form, have agreed as follows:

I The high contracting parties agree as between themselves to respect their rights in relation to their insular dominions in the region of the Pacific Ocean.

If there should develop between any of the high contracting parties a controversy arising out of any Pacific question and involving their said rights which is not satisfactorily settled by diplomacy and is likely to affect the harmonious accord now happily subsisting between them, they shall invite the other high contracting parties to a joint conference to which the whole subject will be referred for consideration and adjustment.

II If the said rights are threatened by the aggressive action of any other power, the high contracting parties shall communicate with one another fully and frankly in order to arrive at an understanding as to the most efficient measures to be taken, jointly or separately, to meet the exigencies of the particular situation.

III This treaty shall remain in force for ten years from the time it shall take effect, and after the expiration of said period it shall continue to be in force, subject to the right of any of

the high contracting parties to terminate it upon twelve months' notice.

- IV This treaty shall be ratified as soon as possible in accordance with the constitutional methods of the high contracting parties, and shall take effect on the deposit of ratification, which shall take place at Washington, and thereupon the agreement between Great Britain and Japan, which was concluded in London on July 13, 1911, shall terminate.

The Government of the United States will transmit to all the signatory powers a certified copy of the *procès verbal* of the deposit of ratifications.

The present treaty, in French and in English, shall be deposited in the archives of the Government of the United States, and duly certified copies thereof will be transmitted by that Government to each of the signatory powers.

In faith whereof the above-named plenipotentiaries have signed the present treaty.

Done at the City of Washington, the thirteenth day of December, one thousand nine hundred and twenty-one.

Following is the text of the reservation note, prepared by the American delegates and accepted by the other powers:

In signing the treaty this day between the United States of America, the British Empire, France and Japan, it is declared to be the understanding and intent of the signatory powers:

1. That the treaty shall apply to the mandated islands in the Pacific Ocean, provided, however, that the making of the treaty shall not be deemed to be an assent on the part of the United States of America to the mandates and shall not preclude agreements between the United States of America and the mandatory powers, respectively, in relation to the mandated islands.
2. That the controversies to which the second paragraph of Article I refers shall not be taken to embrace questions which according to principles of international law lie exclusively within the domestic jurisdiction of the respective powers.

Washington, D. C., Dec. 13, 1921.

ANNEX TO PACIFIC TREATY

ADOPTED ON FEBRUARY 4, 1922, AND SIGNED ON FEBRUARY 6

The United States of America, the British Empire, France and Japan have, through their respective plenipotentiaries, agreed upon

the following stipulations supplementary to the quadruple treaty signed at Washington on Dec. 13, 1921:

The term "insular possessions and insular dominions" used in the aforesaid treaty shall, in its application to Japan, include only Karafuto (or the southern portion of the island of Saghalin), Formosa and the Pescadores and the islands under the mandate of Japan.

The present agreement shall have the same force and effect as the said treaty, to which it is supplementary.

The provision of Article IV of the aforesaid treaty of Dec. 13, 1921, relating to ratification, shall be applicable to the present agreement, which, in French and English, shall remain deposited in the archives of the Government of the United States, and duly certified copies thereof shall be transmitted by that Government to each of the other contracting Powers.

In faith whereof the respective plenipotentiaries have signed the present Agreement. Done at the City of Washington, 6th February, 1922.

2. THE FIVE-POWER NAVAL TREATY

THE UNITED STATES OF AMERICA, THE BRITISH EMPIRE, FRANCE, ITALY AND JAPAN,

Desiring to contribute to the maintenance of the general peace, and to reduce the burdens of competition in armament,

Have resolved, with a view to accomplishing these purposes, to conclude a treaty to limit their respective naval armament, and to that end have appointed as their plenipotentiaries:

The President of the United States of America:

Charles Evans Hughes,

Henry Cabot Lodge,

Oscar W. Underwood,

Elihu Root,

Citizens of the United States;

His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India;

The Right Hon. Arthur James Balfour, O.M., M.P., Lord President of his Privy Council;

The Right Hon. Baron Lee of Fareham, G.B.E., K.C.B., First Lord of his Admiralty;

- The Right Hon. Sir Auckland Campbell Geddes, K.C.B., his Ambassador Extraordinary and Plenipotentiary to the United States of America;
- And for the Dominion of Canada: The Right Hon. Sir Robert Laird Borden, G.C.M.G., K.C.;
- For the Commonwealth of Australia: Senator the Right Hon. George Foster Pearce, Minister for Home and Territories;
- For the Dominion of New Zealand: The Hon. Sir John William Salmond, K.C., Judge of the Supreme Court of New Zealand;
- For the Union of South Africa: The Right Hon. Arthur James Balfour, O.M., M.P.;
- For India: The Right Hon. Valingman Sankaranarayana Srinivasa Sastri, member of the Indian Council of State;
- The President of the French Republic:
- M. Albert Sarraut, Deputy, Minister of the Colonies;
- M. Jules J. Jusserand, Ambassador Extraordinary and Plenipotentiary to the United States of America, Grand Cross of the National Order of the Legion of Honour;
- His Majesty the King of Italy:
- The Hon. Carlo Schanzer, Senator of the Kingdom;
- The Hon. Vittorio Rolandi Ricci, Senator of the Kingdom, his Ambassador Extraordinary and Plenipotentiary at Washington;
- The Hon. Luigi Albertini, Senator of the Kingdom;
- His Majesty the Emperor of Japan:
- Baron Tomosaburo Kato, Minister for the Navy, a member of the first class of the Imperial Order of the Grand Cordon of the Rising Sun with the Paulowuia Flower;
- Baron Kijuro Shidehara, his Ambassador Extraordinary and Plenipotentiary at Washington, a member of the first class of the Imperial Order of the Rising Sun;
- Mr. Masanao Hanihara, Vice Minister for Foreign Affairs, a member of the second class of the Imperial Order of the Rising Sun,
- who, having communicated to each other their respective full powers, found to be in good and due form, have agreed as follows:*

CHAPTER I

General Provisions Relating to the Limitation of Naval Armament

ARTICLE 1. The contracting powers agree to limit their respective naval armament as provided in the present treaty.

ARTICLE 2. The contracting powers may retain respectively the capital ships which are specified in Chapter II, Part 1. On the coming into force of the present treaty, but subject to the following provisions of this article, all other capital ships, built or building, of the United States, the British Empire and Japan shall be disposed of as prescribed in Chapter II, Part 2.

In addition to the capital ships specified in Chapter II, Part 1, the United States may complete and retain two ships of the *West Virginia* class now under construction. On the completion of these two ships the *North Dakota* and *Delaware* shall be disposed of as prescribed in Chapter II, Part 2.

The British Empire may, in accordance with the replacement table in Chapter II, Part 3, construct two new capital ships not exceeding 35,000 tons (35,560 metric tons) standard displacement each. On the completion of the said two ships, the *Thunderer*, *King George V*, *Ajax* and *Centurion* shall be disposed of as prescribed in Chapter II, Part 2.

ARTICLE 3. Subject to the provisions of Article 2, the contracting powers shall abandon their respective capital ship building programmes, and no new capital ships shall be constructed or acquired by any of the contracting powers except replacement tonnage which may be constructed or acquired as specified in Chapter II, Part 3.

Ships which are replaced in accordance with Chapter II, Part 3, shall be disposed of as prescribed in Part 2 of that chapter.

ARTICLE 4. The total capital ship replacement tonnage of each of the contracting powers shall not exceed in standard displacement, for the United States 525,000 tons (533,400 metric tons); for the British Empire 525,000 tons (533,400 metric tons); for France 175,000 tons (177,800 metric tons); for Italy 175,000 tons (177,800 metric tons); for Japan 315,000 tons (320,040 metric tons).

ARTICLE 5. No capital ship exceeding 35,000 tons (35,560 metric tons) standard displacement shall be acquired by, or constructed by, for, or within the jurisdiction of, any of the contracting powers.

ARTICLE 6. No capital ship of any of the contracting powers shall carry a gun with a calibre in excess of 16 inches (406 millimetres).

ARTICLE 7. The total tonnage for aircraft carriers of each of the contracting powers shall not exceed in standard displacement, for the United States 135,000 tons (137,160 metric tons); for the British Empire 135,000 tons (137,160 metric tons); for France 60,000 tons (60,960 metric tons); for Italy 60,000 tons (60,960 metric tons); for Japan 81,000 tons (82,296 metric tons).

ARTICLE 8. The replacement of aircraft carriers shall be affected

only as prescribed in Chapter II, Part 3, provided, however, that all aircraft carrier tonnage in existence or building on Nov. 12, 1921, shall be considered experimental, or may be replaced, within the total tonnage limit prescribed in Article 7, without regard to its age.

ARTICLE 9. No aircraft carrier exceeding 27,000 tons (27,432 metric tons) standard displacement shall be acquired by or constructed by, for or within the jurisdiction of, any of the contracting powers.

However, any of the contracting powers may, provided that its total tonnage allowance of aircraft carriers is not thereby exceeded, build not more than two aircraft carriers, each of a tonnage of not more than 33,000 tons (33,528 metric tons) standard displacement, and in order to effect economy any of the contracting powers may use for this purpose any two of their ships, whether constructed or in course of construction, which would otherwise be scrapped under the provisions of Article 2. The armament of any aircraft carriers exceeding 27,000 tons (27,432 metric tons) standard displacement shall be in accordance with the requirements of Article 10, except that the total number of guns to be carried in case any of such guns be of a calibre exceeding 6 inches (152 millimetres), except anti-aircraft guns and guns not exceeding 5 inches (126.7 millimetres), shall not exceed eight.

ARTICLE 10. No aircraft carrier of any of the contracting powers shall carry a gun with a calibre in excess of 8 inches (203 millimetres). Without prejudice to the provisions of Article 9, if the armament carried includes guns exceeding 6 inches (152 millimetres) in calibre, the total number of guns carried, except anti-aircraft guns and guns not exceeding 5 inches (126.7 millimetres), shall not exceed ten. If alternatively the armament contains no guns exceeding 6 inches (152 millimetres) in calibre, the number of guns is not limited. In either case, the number of anti-aircraft guns and of guns not exceeding 5 inches (126.7 millimetres) is not limited.

ARTICLE 11. No vessel of war exceeding 10,000 tons (10,160 metric tons) standard displacement, other than a capital ship or aircraft carrier, shall be acquired by or constructed by, for or within the jurisdiction of any of the contracting powers. Vessels not specifically built as fighting ships, nor taken in time of peace under Government control for fighting purposes, which are employed on fleet duties or as troop transports or in some other way for the purpose of assisting in the prosecution of hostilities otherwise

than as fighting ships, shall not be within the limitations of this article.

ARTICLE 12. No vessel of war of any of the contracting powers hereafter laid down, other than a capital ship, shall carry a gun with a calibre in excess of 8 inches (203 millimetres).

ARTICLE 13. Except as provided in Article 9, no ship designated in the present treaty to be scrapped may be reconverted into a vessel of war.

ARTICLE 14. No preparations shall be made in merchant ships in time of peace for the installation of warlike armaments for the purpose of converting such ships into vessels of war, other than the necessary stiffening of decks for the mounting of guns not exceeding 6-inch (152 millimetres) calibre.

ARTICLE 15. No vessel of war constructed within the jurisdiction of any of the contracting powers for a non-contracting power shall exceed the limitations as to displacement and armament prescribed by the present treaty for vessels of a similar type which may be constructed by or for any of the contracting powers; provided, however, that the displacement for aircraft carriers constructed for a non-contracting power shall in no case exceed 27,000 tons (27,432 metric tons) standard displacement.

ARTICLE 16. If the construction of any vessel of war for a non-contracting power is undertaken within the jurisdiction of any of the contracting powers, such power shall promptly inform the other contracting powers of the date of the signing the contract and the date on which the keel of the ship is laid; and shall also communicate to them the particulars relating to the ship described in Chapter II, Part 3, Section 1, (b) (4) and (5).

ARTICLE 17. In the event of a contracting power being engaged in war, such power shall not use as a vessel of war any vessel of war which may be under construction within its jurisdiction for any other power, or which may have been constructed within its jurisdiction for another power and not delivered.

ARTICLE 18. Each of the contracting powers undertakes not to dispose by gift, sale or any mode of transfer of any vessel of war in such a manner that such vessel may become a vessel of war in the navy of any foreign power.

ARTICLE 19. The United States, the British Empire and Japan agree that the status quo at the time of the signing of the present treaty, with regard to fortifications and naval bases, shall be maintained in their respective territories and possessions specified hereunder:

(1) The insular possessions which the United States now holds or may hereafter acquire in the Pacific Ocean, except (a) those adjacent to the coast of the United States, Alaska and the Panama Canal Zone, not including the Aleutian Islands, and (b) the Hawaiian Islands;

(2) Hongkong and the insular possessions which the British Empire now holds or may hereafter acquire in the Pacific Ocean, east of the meridian of 110 degrees east longitude, except (a) those adjacent to the coast of Canada, (b) the Commonwealth of Australia and its territories, and (c) New Zealand;

(3) The following insular territories and possessions of Japan in the Pacific Ocean, to wit: the Kurile Islands, the Bonin Islands, Amami-Oshima, the Loochoo Islands, Formosa and the Pescadores, and any insular territories or possessions in the Pacific Ocean which Japan may hereafter acquire.

The maintenance of the status quo under the foregoing provisions implies that no new fortifications or naval bases shall be established in the territories and possessions specified; that no measures shall be taken to increase the existing naval facilities for the repair and maintenance of naval forces, and that no increase shall be made in the coast defences of the territories and possessions above specified. This restriction, however, does not preclude such repair and replacement of worn-out weapons and equipment as is customary in naval and military establishments in time of peace.

ARTICLE 20. The rules for determining tonnage displacement prescribed in Chapter II, Part 4, shall apply to the ships of each of the contracting powers.

CHAPTER II

RULES RELATING TO THE EXECUTION OF THE TREATY—DEFINITION

OF TERMS

PART I

Capital Ships Which May Be Retained by the Contracting Powers

In accordance with Article 2, ships may be retained by each of the contracting powers as specified in this part.

Ships which may be retained by the United States:

Name	Tonnage	Name	Tonnage
<i>Maryland</i>	32,600	<i>Nevada</i>	27,500

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Name	Tonnage	Name	Tonnage
<i>California</i>	32,300	<i>New York</i>	27,000
<i>Tennessee</i>	32,300	<i>Texas</i>	27,000
<i>Idaho</i>	32,000	<i>Arkansas</i>	26,000
<i>New Mexico</i>	32,000	<i>Wyoming</i>	26,000
<i>Mississippi</i>	32,000	<i>Florida</i>	21,825
<i>Arizona</i>	31,400	<i>Utah</i>	21,825
<i>Pennsylvania</i>	31,400	<i>North Dakota</i>	20,000
<i>Oklahoma</i>	27,500	<i>Delaware</i>	20,000
Total tonnage			500,650

On the completion of the two ships of the *West Virginia* class and the scrapping of the *North Dakota* and *Delaware*, as provided in Article 2, the total tonnage to be retained by the United States will be 525,850.

Ships which may be retained by the British Empire:

Name	Tonnage	Name	Tonnage
<i>Royal Sovereign</i>	25,750	<i>Emperor of India</i>	25,000
<i>Royal Oak</i>	25,750	<i>Iron Duke</i>	25,000
<i>Revenge</i>	25,750	<i>Marlborough</i>	25,000
<i>Resolution</i>	25,750	<i>Hood</i>	41,200
<i>Ramillies</i>	25,750	<i>Renown</i>	26,500
<i>Malaya</i>	27,500	<i>Repulse</i>	26,500
<i>Valiant</i>	27,500	<i>Tiger</i>	28,500
<i>Barham</i>	27,500	<i>Thunderer</i>	22,500
<i>Queen Elizabeth</i>	27,500	<i>King George V</i>	23,000
<i>Warspite</i>	27,500	<i>Ajax</i>	23,000
<i>Benbow</i>	25,000	<i>Centurion</i>	23,000
Total tonnage			580,450

On the completion of the two new ships to be constructed and the scrapping of the *Thunderer*, *King George V*, *Ajax* and *Centurion*, as provided in Article 2, the total tonnage to be retained by the British Empire will be 558,950 tons.

Ships which may be retained by France:

Name	Tonnage (Metric Tons)	Name	Tonnage (Metric Tons)
<i>Bretagne</i>	23,500	<i>Jean Bart</i>	23,500

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Name	Tonnage (Metric Tons)	Name	Tonnage (Metric Tons)
<i>Lorraine</i>	23,500	<i>Courbet</i>	23,500
<i>Provence</i>	23,500	<i>Condorcet</i>	18,890
<i>Paris</i>	23,500	<i>Diderot</i>	18,890
<i>France</i>	23,500	<i>Voltaire</i>	18,890

Total tonnage 221,170

France may lay down new tonnage in the years 1927, 1929 and 1931, as provided in Part 3, Section 2.

Ships which may be retained by Italy:

Name	Tonnage (Metric Tons)	Name	Tonnage (Metric Tons)
<i>Andrea Doria</i>	22,700	<i>Dante Alighieri</i>	19,500
<i>Cai Duillio</i>	22,700	<i>Roma</i>	12,600
<i>Conte di Cavour</i>	22,500	<i>Napoli</i>	12,600
<i>Giulio Cesare</i>	22,500	<i>Vittorio Emanuele</i>	12,600
<i>Leonardo da Vinci</i>	22,500	<i>Regina Elena</i>	12,600

Total tonnage 182,800

Italy may lay down new tonnage in the years 1927, 1929 and 1931, as provided in Part 3, Section 2.

Ships which may be retained by Japan:

Name	Tonnage	Name	Tonnage
<i>Mutsu</i>	33,800	<i>Fu-So</i>	30,600
<i>Nagato</i>	33,800	<i>Kirishima</i>	27,500
<i>Hiuga</i>	31,260	<i>Haruna</i>	27,500
<i>Ise</i>	31,260	<i>Hiyei</i>	27,500
<i>Yamashiro</i>	30,600	<i>Kongo</i>	27,500

Total tonnage 301,320

PART II

Rules for Scrapping Vessels of War

The following rules shall be observed for the scrapping of vessels of war which are to be disposed of in accordance with Articles 2 and 3:

1. A vessel to be scrapped must be placed in such condition that it cannot be put to combatant use.

2. This result must be finally effected in any one of the following ways:

(a) Permanent sinking of the vessel.

(b) Breaking the vessel up. This shall always involve the destruction or removal of all machinery, boilers and armour, and all deck, side and bottom plating.

(c) Converting the vessel to target use exclusively. In such case all the provisions of Paragraph 3 of this part, except Subparagraph 6, in so far as may be necessary to enable the ship to be used as a mobile target, and except Subparagraph 7, must be previously complied with. Not more than one capital ship may be retained for this purpose at one time by any of the contracting powers.

(d) Of the capital ships which would otherwise be scrapped under the present treaty in or after the year 1931, France and Italy may each retain two seagoing vessels for training purposes exclusively; that is, as gunnery or torpedo schools. The two vessels retained by France shall be of the *Jean Bart* class, and of those retained by Italy one shall be the *Dante Alighieri*, the other of the *Giulio Cesare* class. On retaining these ships for the purpose above stated, France and Italy respectively undertake to remove and destroy their conning towers, and not to use the said ships as vessels of war.

3. (a) Subject to the special exceptions contained in Article 9, when a vessel is due for scrapping, the first stage of scrapping, which consists in rendering a ship incapable of further warlike service, shall be immediately undertaken.

(b) A vessel shall be considered incapable of further warlike service when there shall have been removed and landed, or else destroyed in the ship:

(1) All guns and essential portions of guns, fire-control tops and revolving parts of all barbettes and turrets;

(2) All machinery for working hydraulic or electric mountings;

(3) All fire-control instruments and range-finders;

(4) All ammunition, explosives and mines;

(5) All torpedoes, warheads and torpedo tubes;

(6) All wireless telegraphy installations;

(7) The conning tower and all side armour, or alternatively all main propelling machinery; and

(8) All landing and flying-off platforms and all other aviation accessories.

4. The periods in which scrapping of vessels is to be effected are as follows:

(a) In the case of vessels to be scrapped under the first paragraph of Article 2, the work of rendering the vessels incapable of further warlike service, in accordance with Paragraph 3 of this part, shall be completed within six months from the coming into force of the present treaty, and the scrapping shall be finally effected within eighteen months from such coming into force.

(b) In the case of the vessels to be scrapped under the second and third paragraphs of Article 2, or under Article 3, the work of rendering the vessel incapable of further warlike service in accordance with Paragraph 3 of this part shall be commenced at later than the date of completion of its successor, and shall be finished within six months from the date of such completion. The vessel shall be finally scrapped in accordance with Paragraph 2 of this part, within eighteen months from the date of completion of its successor. If, however, the completion of the new vessel be delayed, then the work of rendering the old vessel incapable of further warlike service in accordance with Paragraph 3 of this part shall be commenced within four years from the laying of the keel of the new vessel, and shall be finished within six months from the date on which such work was commenced, and the old vessel shall be finally scrapped in accordance with Paragraph 2 of this part within eighteen months from the date when the work of rendering it incapable of further warlike service was commenced.

PART III

Replacement

The replacement of capital ships and aircraft carriers shall take place according to the rules in Section I and the tables in Section II of this part.

SECTION I—Rules for Replacement

(a) Capital ships and aircraft carriers twenty years after the date of their completion may, except as otherwise provided in Article 8 and in the tables in Section II of this part, be replaced by new construction, but within the limits prescribed in Article 4 and Article 7. The keels of such new construction may, except as otherwise provided in Article 8 and in the tables in Section II of this part, be laid down not earlier than seventeen years from the

date of completion of the tonnage to be replaced, provided, however, that no capital ship tonnage, with the exception of the ships referred to in the third paragraph of Article 2, and the replacement tonnage specifically mentioned in Section II of this part, shall be laid down until ten years from Nov. 12, 1921.

(b) Each of the contracting powers shall communicate promptly to each of the other contracting powers the following information:

(1) The names of the capital ships and aircraft carriers to be replaced by new construction;

(2) The date of governmental authorization of replacement tonnage;

(3) The date of laying the keels of replacement tonnage;

(4) The standard displacement in tons and metric tons of each new ship to be laid down, and the principal dimensions, namely, length at waterline, extreme beam at or below waterline, mean draught at standard displacement;

(5) The date of completion of each new ship and its standard displacement in tons and metric tons, and the principal dimensions, namely, length at waterline, extreme beam at or below waterline, mean draught at standard displacement, at time of completion.

(c) In case of loss or accidental destruction of capital ships or aircraft carriers, they may immediately be replaced by new construction subject to the tonnage limits prescribed in Articles 4 and 7, and in conformity with the other provisions of the present treaty, the regular replacement programme being deemed to be advanced to that extent.

(d) No retained capital ships or aircraft carriers shall be reconstructed except for the purpose of providing means of defence against air and submarine attack, and subject to the following rules: The constructing powers may, for that purpose, equip existing tonnage with bulge or blister or anti-air attack deck protection, providing the increase of displacement thus effected does not exceed 3,000 tons (3,048 metric tons) displacement for each ship. No alterations in side armour, in calibre, number or general type of mounting of main armament shall be permitted, except:

(1) In the case of France and Italy, which countries within the limits allowed for bulge may increase their armour protection and the calibre of the guns now carried on their existing capital ships so as to exceed sixteen inches (406 millimetres), and (2) the British Empire shall be permitted to complete, in the case of the *Renown*, the alterations to armour that have already been commenced but temporarily suspended.

APPENDICES

SECTION II

REPLACEMENT AND SCRAPPING OF CAPITAL SHIPS—

UNITED STATES

Year	Ships Laid Down	Ships Completed	Summary		Ships Retained	
			Ships Scrapped (Age in Parentheses)		Pre-Jutland	Post-Jutland
			Maine (20), Missouri (20), Virginia (17), Nebraska (17), Georgia (17), New Jersey (17), Rhode Island (17), Connecticut (17), Louisiana (17), Vermont (16), Kansas (16), Minnesota (16), New Hampshire (15), South Carolina (13), Michigan (13), Washington (0), South Dakota (0), Indiana (0), Montana (0), North Carolina (0), Iowa (0), Massachusetts (0), Lexington (0), Constitution (0), Constellation (0), Saratoga (0), Ranger (0), United States (0) ³		17	1
			Delaware (12), North Dakota (12)			
1922	A, B ⁴	(12)		15	3
1923				15	3
1924				15	3
1925				15	3
1926				15	3
1927				15	3
1928				15	3
1929				15	3
1930				15	3

³ The United States may retain the *Oregon* and *Illinois* for non-combatant purposes, after complying with the provisions of Part 2, III. (b).

⁴ Two *West Virginia* class. A, B, C, D, &c., represent individual capital ships of 35,000 tons standard displacement, laid down and completed in the years specified.

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Year	Ships		Summary	Ships Retained	
	Laid Down	Ships Completed	Ships Scrapped (Age in Parentheses)	Pre-Jut-land	Post-Jut-land
1931	C, D			15	3
1932	E, F			15	3
1933	G			15	3
1934	H, I	C, D	<i>Florida</i> (23), <i>Utah</i> (23), <i>Wyoming</i> (22)	12	5
1935	J	E, F	<i>Arkansas</i> (23), <i>Texas</i> (21), <i>New York</i> (21)	9	7
1936	K, L	G	<i>Nevada</i> (20), <i>Oklahoma</i> (20)	7	8
1937	M	H, I	<i>Arizona</i> (21), <i>Pennsylvania</i> (21)	5	10
1938	N, O	J	<i>Mississippi</i> (21)	4	11
1939	P, Q	K, L	<i>New Mexico</i> (21), <i>Idaho</i> (20)	2	13
1940		M	<i>Tennessee</i> (20)	1	14
1941		N, O	<i>California</i> (20), <i>Maryland</i> (20)	0	15
1942		P, Q	2 ships <i>West Virginia</i> class	0	15

REPLACEMENT AND SCRAPPING OF CAPITAL SHIPS—

GREAT BRITAIN

Year	Ships		Summary	Ships Retained	
	Laid Down	Ships Completed	Ships Scrapped (Age in Parentheses)	Pre-Jut-land	Post-Jut-land
			<i>Commonwealth</i> (16), <i>Agamemnon</i> (13), <i>Dreadnought</i> (15), <i>Bellerophon</i> (12), <i>St. Vincent</i> (11), <i>Inflexible</i> (13), <i>Superb</i> (12), <i>Neptune</i> (10), <i>Hercules</i> (10), <i>Indomitable</i> (13), <i>Témér-</i>		

APPENDICES

Year	Ships Laid Down	Ships Completed	Summary		Ships Retained	
			Ships Scrapped (Age in Parentheses)		Pre-Jutland	Post-Jutland
			<i>aire</i> (12), <i>New Zealand</i> (9), <i>Lion</i> (9), <i>Princess Royal</i> (9), <i>Conqueror</i> (9), <i>Monarch</i> (9), <i>Orion</i> (9), <i>Australia</i> (8), <i>Agincourt</i> (7), <i>Erin</i> (7), 4 building or projected ⁵			
1922	....A, B ⁶	.....			21	1
1923	.....	.....			21	1
1924	.....	.....			21	1
1925	.....A, B	....<i>King George V</i> (13), <i>Ajax</i> (12), <i>Centurion</i> (12), <i>Thunderer</i> (13)			17	3
1926	.....	.....			17	3
1927	.....	.....			17	3
1928	.....	.....			17	3
1929	.....	.....			17	3
1930	.....	.....			17	3
1931	....C, D	.....			17	3
1932	....E, F	.....			17	3
1933	....G	.....			17	3
1934	....H, I	....C, D... <i>Iron Duke</i> (20), <i>Marlborough</i> (20), <i>Emperor of India</i> (20), <i>Benbow</i> (20)			13	5
1935	....J	.....E, F... <i>Tiger</i> (21), <i>Queen Elizabeth</i> (20), <i>Warspite</i> (20), <i>Barham</i> (20)			9	7
1936	....K, L	....G.... <i>Malaya</i> (20), <i>Royal Sovereign</i> (20)			7	8
1937	....M	.....H, I... <i>Revenge</i> (21), <i>Resolution</i> (21)			5	10

⁵ The British Empire may retain the *Colossus* and *Collingwood* for non-combatant purposes, after complying with the provisions of Part 2, III. (b).

⁶ Two 35,000-ton ships, standard displacement. A, B, C, D, &c., represent individual capital ships of 35,000 tons standard displacement laid down and completed in the years specified.

Summary				Ships Retained	
Year	Ships Laid Down	Ships Completed	Ships Scrapped (Age in Parentheses)	Pre-Jutland	Post-Jutland
1938	N, O	J	Royal Oak (22)	4	11
1939	P, Q	K, L	Valiant (23), Repulse (23)	2	13
1940		M	Renown (24)	1	14
1941		N, O	Ramillies (24), Hood (21)	0	15
1942		P, Q	A (17), B (17)	0	15

REPLACEMENT AND SCRAPPING OF CAPITAL SHIPS—

FRANCE †

Summary				Ships Retained	
Year	Ships Laid Down	Ships Completed	Ships Scrapped (Age in Parentheses)	Pre-Jutland	Post-Jutland
1922				7	0
1923				7	0
1924				7	0
1925				7	0
1926				7	0
1927	35,000 tons			7	0
1928				7	0
1929	35,000 tons			7	0
			Jean Bart (17), Courbet		
1930	35,000 tons		(17)	5	8
1931	35,000 tons			5	8
1932	35,000 tons	35,000 tons	France (18)	4	8
1933	35,000 tons			4	8
1934		35,000 tons	Paris (20), Bretagne (20)	2	8
1935		35,000 tons	Provence (20)	1	8
1936		35,000 tons	Lorrains (20)	0	8
1937				0	8
1938				0	8

† France expressly reserves the right of employing the capital ship tonnage allotment as she may consider advisable, subject solely to the limitations that the displacement of individual ships should not surpass 35,000 tons, and that the total capital ship tonnage should keep within the limits imposed by the present treaty.

Year	Summary			Ships Retained	
	Ships Laid Down	Ships Completed	Ships Scrapped (Age in Parentheses)	Pre-Jut-land	Post-Jut-land
1939	0	8
1940	0	8
1941	0	8
1942	0	8

REPLACEMENT AND SCRAPPING OF CAPITAL SHIPS—

ITALY⁹

Year	Summary			Ships Retained	
	Ships Laid Down	Ships Completed	Ships Scrapped (Age in Parentheses)	Pre-Jut-land	Post-Jut-land
1922	.....	.....	.....	6	0
1923	.....	.....	.....	6	0
1924	.....	.....	.....	6	0
1925	.....	.....	.....	6	0
1926	.....	.....	.....	6	0
1927	.. 35,000 tons	.....	.....	6	0
1928	.....	.....	.....	6	0
1929	.. 35,000 tons	.....	.....	6	0
1930	.....	.....	.....	6	0
1931	.. 25,000 tons	.. 35,000 tons	.. <i>Dante Alighieri</i> (19)	5	10
1932	.. 45,000 tons	.....	.....	5	10
1933	.. 25,000 tons	.. 35,000 tons	.. <i>Leonardo da Vinci</i> (19)	4	10
1934	.....	.....	.....	4	10
1935	.....	.. 35,000 tons	.. <i>Giulio Cesare</i> (21) .. <i>Conte di Cavour</i> (21),	3	10
1936	.....	.. 45,000 tons	.. <i>Duilio</i> (21)	1	10
1937	.....	.. 25,000 tons	.. <i>Andrea Doria</i> (21)	0	10

⁸ Within tonnage limitations; number not fixed.

⁹ Italy expressly reserves the right of employing the capital ship tonnage allotment as she may consider advisable, subject solely to the limitations that the displacement of individual ships should not surpass 35,000 tons, and the total capital ship tonnage should keep within the limits imposed by the present treaty.

¹⁰ Within tonnage limitations; number not fixed.

REPLACEMENT AND SCRAPPING OF CAPITAL SHIPS—

JAPAN ¹¹				Ships Retained	
Year	Ships Laid Down	Ships Completed	Summary	Pre-Jut-	Post-Jut-
			Ships Scrapped (Age in Parentheses)	land	land
			<i>Hisen</i> (20), <i>Mikasa</i> (20), <i>Kashima</i> (16), <i>Katori</i> (16), <i>Satsuma</i> (12), <i>Aki</i> (11), <i>Settsu</i> 10), <i>Ikoma</i> (14), <i>Ibuki</i> (12), <i>Kurama</i> (11), <i>Amagi</i> (0), <i>Akagi</i> (0), <i>Kaga</i> (0), <i>Tosa</i> (0), <i>Takao</i> (0), <i>Atago</i> (0), Projected programme 8 ships not laid down. ¹²		
1922	.....	.....	.....	8	2
1923	.....	.....	.....	8	2
1924	.....	.....	.....	8	2
1925	.....	.....	.....	8	2
1926	.....	.....	.....	8	2
1927	.....	.....	.....	8	2
1928	.....	.....	.....	8	2
1929	.....	.....	.....	8	2
1930	.....	.....	.....	8	2
1931	.....A.....	.....	.....	8	2
1932	.....B.....	.....	.....	8	2
1933	.....C.....	.....	.....	8	2
1934	.....D.....	A.....	<i>Kongo</i> (21)	7	3
1935	.....E.....	B.....	<i>Hiyei</i> (21), <i>Haruna</i> (20)....	5	4
1936	.....F.....	C.....	<i>Kirishima</i> (21)	4	5
1937	.....G.....	D.....	<i>Fuso</i> (22)	3	6
1938	.....H.....	E.....	<i>Yamashiro</i> (21)	2	7
1939	.....I.....	F.....	<i>Ise</i> (22)	1	8

¹¹ A, B, C, D, &c., represent individual capital ships of 35,000 tons standard displacement, laid down and completed in the years specified.

¹² Japan may retain the *Shikishima* and *Asahi* for non-combatant purposes, after complying with the provisions of Part 2, III. (b).

Year	Summary			Ships Retained	
	Ships Laid Down	Ships Completed	Ships Scrapped (Age in Parentheses)	Pre-Jut-land	Post-Jut-land
1940	G....	<i>Hiuga</i> (22)	0	9
1941	H....	<i>Nagato</i> (21)	0	9
1942	I....	<i>Mutsu</i> (21)	0	9

NOTE APPLICABLE TO ALL THE TABLES IN SECTION II

The order above prescribed in which ships are to be scrapped is in accordance with their age. It is understood that when replacement begins according to the above tables the order of scrapping in the case of the ships of each of the contracting powers may be varied at its option; provided, however, that such power shall scrap in each year the number of ships above stated.

PART IV

Definitions

For the purposes of the present treaty the following expressions are to be understood in the sense defined in this part:

Capital Ship

A capital ship, in the case of ships hereafter built, is defined as a vessel of war, not an aircraft carrier, whose displacement exceeds 10,000 tons (10,150 metric tons) standard displacement or which carries a gun with a calibre exceeding 8 inches (203 millimetres).

Aircraft Carrier

An aircraft carrier is defined as a vessel of war with a displacement in excess of 10,000 tons (10,160 metric tons) standard displacement designed for a specific and exclusive purpose of carrying aircraft. It must be so constructed that aircraft can be launched therefrom and landed thereon, and not designed and constructed for carrying a more powerful armament than that allowed to it under Article 9 or Article 10, as the case may be.

Standard Displacement

The standard displacement of a ship is the displacement of the ship complete, fully manned, engined and equipped ready for sea, including all armament and ammunition, equipment, outfit, provisions and fresh water for crew, miscellaneous stores and im-

plements of every description that are intended to be carried in war, but without fuel or reserve feed water on board.

The word "ton" in the present treaty, except in the expression "metric tons," shall be understood to mean the ton of 2,240 pounds (1,016 kilos). Vessels now completed shall retain their present ratings of displacement tonnage in accordance with their national system of measurement. However, a power expressing displacement in metric tons shall be considered for the application of the present treaty as owning only the equivalent displacement in tons of 2,240 pounds. A vessel completed hereafter shall be rated at its displacement tonnage when in the standard condition defined herein.

CHAPTER III

MISCELLANEOUS PROVISIONS

ARTICLE 21. If, during the term of the present treaty, the requirements of the national security of any contracting power in respect of naval defence are, in the opinion of that power, materially affected by any change of circumstances, the contracting powers will, at the request of such power, meet in conference with a view to the reconsideration of the provisions of the treaty and its amendment by mutual agreement.

In view of possible technical and scientific developments, the United States, after consultation with the other contracting powers, shall arrange for a conference of all the contracting powers, which shall convene as soon as possible after the expiration of eight years from the coming into force of the present treaty to consider what changes, if any, in the treaty may be necessary to meet such developments.

ARTICLE 22. Whenever any contracting power shall become engaged in a war which, in its opinion, affects the naval defence of its national security, such power may, after notice to the other contracting powers, suspend for the period of hostilities its obligations under the present treaty, other than those under Articles 13 and 17, provided that such power shall notify the other contracting powers that the emergency is of such a character as to require such suspension.

The remaining contracting powers shall, in such case, consult together with a view to agreement as to what temporary modifications, if any, should be made in the treaty as between themselves. Should such consultation not produce agreement, duly made in accordance with the constitutional methods of the respective powers, any one of said contracting powers may, by giving notice to the other con-

tracting powers, suspend for the period of hostilities its obligations under the present treaty, other than those under Articles 13 and 17.

On the cessation of hostilities, the contracting powers will meet in conference to consider what modifications, if any, should be made in the provisions of the present treaty.

ARTICLE 23. The present treaty shall remain in force until Dec. 31, 1936, and in case none of the contracting powers shall have given notice two years before that date of its intention to terminate the treaty, it shall continue in force until the expiration of two years from the date on which notice of termination shall be given by one of the contracting powers, whereupon the treaty shall terminate as regards all the contracting powers. Such notice shall be communicated in writing to the Government of the United States, which shall immediately transmit a certified copy of the notification to the other powers and inform them of the date on which it was received. The notice shall be deemed to have been given and shall take effect on that date. In the event of notice of termination being given by the Government of the United States, such notice shall be given to the diplomatic representatives at Washington of the other contracting powers, and the notice shall be deemed to have been given and shall take effect on the date of the communication made to the said diplomatic representatives.

Within one year of the date on which a notice of termination by any power has taken effect all the contracting powers shall meet in conference.

ARTICLE 24. The present treaty shall be ratified by the contracting powers in accordance with their respective constitutional methods and shall take effect on the date of the deposit of all the ratifications, which shall take place at Washington as soon as possible. The Government of the United States will transmit to the other contracting powers a certified copy of the *procès-verbal* of the deposit of ratifications.

The present treaty, of which the English and French texts are both authentic, shall remain deposited in the archives of the Government of the United States, and duly certified copies thereof shall be transmitted by that Government to the other contracting powers.

IN FAITH WHEREOF the above-named plenipotentiaries have signed the present treaty.

Done at the City of Washington the first day of February, one thousand nine hundred and twenty-two.

To the naval treaty was added a supplementary resolution, adopted at the plenary session of Feb. 4. This addition was an amplification of Article 18 of the treaty, which binds the signatory powers

not to dispose of war craft—in such condition that the vessels might be utilized as warships—“by gift, sale or transfer.” The new resolution, which is to be taken as a part of the treaty, reads thus:

It should, therefore, be recorded in the minutes of the subcommittee (on naval limitation) and before the full conference that the powers signatory to the treaty of naval limitation regard themselves in honour bound not to sell any ships between the present date and ratification of the treaty, when such a sale would be a breach of Article 18.

3. SUBMARINES AND POISON GAS TREATY

TEXT OF THE FIVE-POWER COMPACT UNDER WHICH THE UNITED STATES, GREAT BRITAIN, JAPAN, FRANCE AND ITALY BIND THEMSELVES TO REFRAIN FROM THE USE OF SUBMARINES AS COMMERCE DESTROYERS, AND OF POISON GAS IN WARFARE

The treaty embodying the resolutions passed by the conference against the use of submarines as commerce destroyers, and also against the employment of poison gas in warfare, the text of which is given herewith, was presented by Mr. Root at the fifth plenary session of Feb. 1, and signed at the seventh and last plenary session on Feb. 6, 1922. Both subjects had been debated at length in previous sessions, and the decisions here translated into treaty terms were not reached without considerable discussion. (See February “Current History.”) Mr. Root was sponsor for both of the original resolutions prohibiting these agencies of warfare. The text of this double treaty is as follows:

THE UNITED STATES OF AMERICA, THE BRITISH EMPIRE, FRANCE, ITALY AND JAPAN,

Hereinafter referred to as the signatory powers, desiring to make more effective the rules adopted by civilized nations for the protection of the lives of neutrals and noncombatants at sea in time of war, and to prevent the use in war of noxious gases and chemicals, have determined to conclude a treaty to this effect, and have appointed as their plenipotentiaries [here follows the list of names], who, having communicated their full powers found in good and due form, have agreed as follows:

ARTICLE 1. The signatory powers declare that among the rules

adopted by civilized nations for the protection of the lives of neutrals and noncombatants at sea in time of war, the following are to be deemed an established part of international law: (1) A merchant vessel must be ordered to submit to visit and search to determine its character before it can be seized. A merchant vessel must not be attacked unless it refuse to submit to visit and search after warning or to proceed as directed after seizure. A merchant vessel must not be destroyed unless the crew and passengers have been first placed in safety. (2) Belligerent submarines are not under any circumstances exempt from the universal rules above stated; and if a submarine cannot capture a merchant vessel in conformity with these rules, the existing law of nations requires it to desist from attack and from seizure and to permit the merchant vessel to proceed unmolested.

ARTICLE 2. The signatory powers invite all other civilized powers to express their assent to the foregoing statement of established law, so that there may be a clear public understanding throughout the world of the standards of conduct by which the public opinion of the world is to pass judgment upon future belligerents.

ARTICLE 3. The signatory powers, desiring to insure the enforcement of the humane rules of existing law declared by them with respect to attacks upon and seizure and destruction of merchant ships, further declare that any person in the service of any power who shall violate any of those rules, whether or not such person is under orders of a governmental superior, shall be deemed to have violated the laws of war and shall be liable to trial and punishment as if for an act of piracy, and may be brought to trial before the civil or military authorities of any power within the jurisdiction of which he may be found.

ARTICLE 4. The signatory powers recognize the practical impossibility of using submarines as commerce destroyers without violating, as they were violated in the recent war of 1914-1918, the requirements universally accepted by civilized nations for the protection of the lives of neutrals and noncombatants, and to the end that the prohibition of the use of submarines as commerce destroyers shall be universally accepted as a part of the law of nations they now accept that prohibition as henceforth binding as between themselves, and they invite all other nations to adhere thereto.

ARTICLE 5. The use in war of asphyxiating, poisonous or other gases, and all analogous liquids, materials and devices having been justly condemned by the general opinion of the civilized world, and a prohibition of such use having been declared in treaties, to which a majority of the civilized powers are parties, the signatory powers,

to the end that this prohibition shall be universally accepted as a part of international law, binding alike the conscience and practice of nations, declare their assent to such prohibition, agree to be bound thereby as between themselves and invite all other civilized nations to adhere thereto.

ARTICLE 6. The present treaty shall be ratified as soon as possible in accordance with the constitutional methods of the signatory powers and shall take effect on the deposit of all the ratifications, which shall take place at Washington. The Government of the United States of America will transmit to all the signatory powers a certified copy of the *procès-verbal* of the deposit of ratifications. The present treaty, in French and English, shall remain deposited in the archives of the Government of the United States of America, and duly certified copies thereof will be transmitted by that Government to each of the signatory powers.

ARTICLE 7. The Government of the United States of America will further transmit to each of the non-signatory powers a duly certified copy of the present treaty and invite its adherence thereto. Any non-signatory power may adhere to the present treaty by communicating an instrument of adherence to the Government of the United States of America, which will thereupon transmit to each of the signatory and adhering powers a certified copy of each instrument of adherence.

IN FAITH WHEREOF the above-named plenipotentiaries have signed the present treaty. Done at the City of Washington, the sixth day of January, One Thousand Nine Hundred and Twenty-two.

B

4. TREATIES AND RESOLUTIONS AFFECTING CHINA

THE UNITED STATES OF AMERICA, BELGIUM, THE BRITISH EMPIRE, CHINA, FRANCE, ITALY, JAPAN, THE NETHERLANDS AND PORTUGAL,

Desiring to adopt a policy designed to stabilize conditions in the Far East, to safeguard the rights and interests of China, and to promote intercourse between China and the other powers upon the basis of equality of opportunity;

Have resolved to conclude a treaty for that purpose, and to that end have appointed as their respective plenipotentiaries [here follow the names of the plenipotentiaries], who having communicated

to each other their full powers, found to be in good and due form, have agreed as follows:

ARTICLE 1. The contracting powers, other than China, agree:

1. To respect the sovereignty, the independence, and the territorial and administrative integrity of China.

2. To provide the fullest and most unembarrassed opportunity to China to develop and maintain for herself an effective and stable Government.

3. To use their influence for the purpose of effectually establishing and maintaining the principle of equal opportunity for the commerce and industry of all nations throughout the territory of China.

4. To refrain from taking advantage of conditions in China in order to seek special rights or privileges which would abridge the rights of subjects or citizens of friendly States, and from countenancing action inimical to the security of such States.

ARTICLE 2. The contracting powers agree not to enter into any treaty, agreement, arrangement or understanding, either with one another, or individually or collectively with any power or powers, which would infringe or impair the principles stated in Article 1.

ARTICLE 3. With a view to applying more effectually the principles of the open door, or equality of opportunity, in China for the trade and industry of all nations, the contracting powers, other than China, agree not to seek or to support their respective nations in seeking:

(A) Any arrangement which might purport to establish in favour of their interests any general superiority of rights with respect to commercial or economic development in any designated region in China;

(B) Any such monopoly or preference as would deprive the nationals of any other power of the right of undertaking any legitimate trade or industry in China, or of participating with the Chinese Government, or with any local authority, in any category of public enterprise, or which by reason of its scope, duration or geographical extent is calculated to frustrate the practical application of the principle of equal opportunity.

It is understood that the foregoing stipulations of this article are not to be so construed as to prohibit the acquisition of such properties or rights as may be necessary to the conduct of a particular commercial, industrial or financial undertaking or to the encouragement of invention and research.

China undertakes to be guided by the principles stated in the foregoing stipulations of this article in dealing with applications for

economic rights and privileges from Governments and nationals of all foreign countries, whether parties to the present treaty or not.

ARTICLE 4. The contracting powers agree not to support any agreements by their respective nationals with each other designed to create spheres of influence or to provide for the enjoyment of mutually exclusive opportunities in designated parts of Chinese territory.

ARTICLE 5. China agrees that, throughout the whole of the railways in China, she will not exercise or permit unfair discriminations of any kind. In particular there shall be no discrimination whatever, direct or indirect, in respect of charges or of facilities on the ground of the nationality of passengers or the countries from which or to which they are proceeding, or the origin or ownership of goods or the country from which or to which they are proceeding, or the nationality or ownership of the ship or other means of conveying such passengers or goods before or after their transport on the Chinese railways.

The contracting powers, other than China, assume a corresponding obligation in respect of any of the aforesaid railways over which they or their nationals are in a position to exercise any control in virtue of any concession, special agreement or otherwise.

ARTICLE 6. The contracting parties, other than China, agree fully to respect China's rights as a neutral in time of war to which China is not a party; and China declares that when she is a neutral she will observe the obligations of neutrality.

ARTICLE 7. The contracting powers agree that, whenever a situation arises which, in the opinion of any one of them, involves the application of the stipulations of the present treaty, and renders desirable discussion of such application, there shall be full and frank communication between the contracting parties concerned.

ARTICLE 8. Powers not signatory to the present treaty which have governments recognized by the signatory powers and which have treaty relations with China shall be invited to adhere to the present treaty. To this end the Government of the United States will make the necessary communications to non-signatory powers and will inform the contracting powers of the replies received. Adherence by any power shall become effective on receipt of notice thereof by the Government of the United States.

ARTICLE 9. The present treaty shall be ratified by the contracting powers in accordance with their respective constitutional methods and shall take effect on the date of the deposit of all the ratifications, which shall take place at Washington as soon as possible. The Government of the United States will transmit to the other con-

tracting powers a certified copy of the *procès-verbal* of the deposit of ratifications.

The present treaty, of which the English and French texts are both authentic, shall remain deposited in the archives of the Government of the United States, and duly certified copies thereof shall be transmitted by that Government to the other contracting powers.

IN FAITH WHEREOF the above-named plenipotentiaries have signed the present treaty. Done at the City of Washington the sixth day of February, one thousand nine hundred and twenty-two.

THE SUPPLEMENTARY RESOLUTION

The United States of America, Belgium, the British Empire, China, France, Italy, Japan, the Netherlands and Portugal,

Desiring to provide a procedure for dealing with questions that may arise in connection with the execution of the provisions of Articles 3 and 5 of the treaty to be signed at Washington on Feb. 6, 1922, with reference to their general policy, designed to stabilize conditions in the Far East, to safeguard the rights and interests of China, and to promote intercourse between China and the other powers upon the basis of equality of opportunity,

Resolve, That there shall be established in China a board of reference to which any questions arising in connection with the execution of the aforesaid articles may be referred for investigation and report.

The special conference, provided in Article 2 of the treaty to be signed at Washington Feb. 6, 1922, with reference to the Chinese customs tariff shall formulate for the approval of the powers concerned a detailed plan for the constitution of the board.

DECLARATION BY CHINA

China upon her part is prepared to give an undertaking not to alienate or lease any portion of her territory or littoral to any power.

TREATY ON THE CHINESE TARIFF

THE UNITED STATES OF AMERICA, BELGIUM, BRITISH EMPIRE, CHINA, FRANCE, ITALY, JAPAN, THE NETHERLANDS AND PORTUGAL,

With a view to increasing the revenues of the Chinese Government, have resolved to conclude a treaty relating to the revision of the Chinese customs tariff and cognate matters, and to that end have appointed as their plenipotentiaries [here follow the names of the plenipotentiaries], who, having communicated to each other their

full powers, found to be in good and due form, have agreed as follows:

ARTICLE 1. The representatives of the contracting powers having adopted, on the 4th day of February, 1922, in the City of Washington, a resolution, which is appended as an annex to this article, with respect to the revision of Chinese customs duties, for the purpose of making such duties equivalent to an effective 5 per centum ad valorem, in accordance with existing treaties, concluded by China with other nations, the contracting powers hereby confirm the said resolution and undertake to accept the tariff rates fixed as a result of such revision. The said tariff rates shall become effective as soon as possible, but not earlier than two months after publication thereof.

ANNEX. With a view to providing additional revenue to meet the needs of the Chinese Government, the powers represented at this conference, namely, the United States of America, Belgium, the British Empire, China, France, Italy, Japan, the Netherlands and Portugal, agree:

That the customs schedule of duties on imports into China, adopted by the Tariff Revision Commission at Shanghai on Dec. 19, 1918, shall forthwith be revised so that rates of duty shall be equivalent to 5 per cent effective, as provided for in the several commercial treaties to which China is a party.

A revision commission shall meet at Shanghai, at the earliest practicable date, to effect this revision forthwith and on the general lines of the last revision.

This commission shall be composed of representatives of the powers above named and of representatives of any additional powers having governments at present recognized by the powers represented at this conference and who have treaties with China providing for a tariff on imports and exports not to exceed 5 per cent ad valorem and who desire to participate therein.

The revision shall proceed as rapidly as possible, with a view to its completion within four months from the date of the adoption of this resolution by the Conference on Limitation of Armament and Pacific and Far Eastern Questions.

The revised tariff shall become effective as soon as possible, but not earlier than two months after its publication by the Revision Commission.

The Government of the United States, as convener of the present conference, is requested forthwith to communicate the terms of this resolution to the Governments of powers not represented at this conference, but who participated in the revision of 1918 aforesaid.

ARTICLE 2. Immediate steps shall be taken through a special conference to prepare the way for the speedy abolition of likin and for the fulfilment of the other conditions laid down in Article 8 of the treaty of Sept. 5, 1902, between Great Britain and China; in Articles 4 and 5 of the treaty of Oct. 8, 1903, between the United States and China, and in Article 1 of the supplementary treaty of Oct. 8, 1903, between Japan and China, with a view to levying the surtaxes provided for in these articles.

The special conference shall be composed of representatives of the signatory powers, and of such other powers as may desire to participate and may adhere to the present treaty, in accord with the provisions of Article 8 in sufficient time to allow their representatives to take part. It shall meet in China within three months after the coming into force of the present treaty on a day and at a place to be designated by the Chinese Government.

ARTICLE 3. The special conference provided for in Article 2 shall consider the interim provisions to be applied prior to the abolition of likin and the fulfilment of the other conditions laid down in the articles of the treaties mentioned in Article 2; and it shall authorize the levying of a surtax on dutiable imports as from such date, for such purposes and subject to such conditions as it may determine.

The surtax shall be a uniform rate of $2\frac{1}{2}$ per centum ad valorem, provided that in case of certain articles of luxury which, in the opinion of the special conference, can bear a greater increase without unduly impeding trade, the total surtax may be increased, but may not exceed 5 per centum ad valorem.

ARTICLE 4. Following the immediate revision of the customs schedule of duties on imports into China, mentioned in Article 1, there shall be a further revision thereof, to take effect at the expiration of four years following the completion of the aforesaid immediate revision, in order to insure that the customs duties shall correspond to the ad valorem rates fixed by the special conference provided in Article 2.

Following this further revision there shall be, for the same purpose, periodical revisions of the customs schedule of duties on imports into China every seven years, in lieu of the decennial revision authorized by existing treaties with China.

In order to prevent delay, any revision made in pursuance of this article shall be effected in accord with rules to be prescribed by the special conference provided for in Article 3.

ARTICLE 5. In all matters relating to customs duties there shall

be effective equality of treatment and of opportunity for all the contracting powers.

ARTICLE 6. The principle of uniformity in the rates of customs duties levied at all the land and maritime frontiers of China is hereby recognized. The special conference provided for in Article 2 shall make arrangements to give practical effect to this principle, and it is authorized to make equitable adjustments in those cases in which a customs privilege to be abolished was granted in return for some local economic advantage.

In the meantime, any increase in the rate of customs duties resulting from tariff revision or any surtax hereafter imposed in pursuance of the present treaty shall be levied at a uniform rate ad valorem at all land and maritime frontiers of China.

ARTICLE 7. The charge for transit passes shall be at the rate of 2½ per centum ad valorem until the arrangements provided for by Article 2 come into force.

ARTICLE 8. Powers not signatory to the present treaty, whose Governments are at present recognized by the signatory powers and whose present treaties with China provide for a tariff on imports and exports not to exceed 5 per centum ad valorem, shall be invited to adhere to the present treaty.

The Government of the United States undertakes to make the necessary communications for this purpose and to inform the Governments of the contracting powers of the replies received. Adherence by any power shall become effective on receipt of notice thereof by the Government of the United States.

ARTICLE 9. The provisions of the present treaty shall override all stipulations of treaties between China and the respective contracting powers which are inconsistent therewith, other than stipulations according most favoured nation treatment.

ARTICLE 10. The present treaty shall be ratified by the contracting powers in accord with their respective constitutional methods and shall take effect on the date of the deposit of all the ratifications, which shall take place at Washington as soon as possible. The Government of the United States will transmit to the other contracting powers a certified copy of the *procès-verbal* of the deposit of ratifications.

The present treaty, of which the English and French texts are both authentic, shall remain deposited in the archives of the Government of the United States and duly certified copies thereof shall be transmitted by that Government to the other contracting powers.

IN FAITH WHEREOF the above-named plenipotentiaries have signed the present treaty. Done at the City of Washington the sixth day of February, one thousand nine hundred and twenty-two.

In connection with the tariff treaty, the Chinese delegation presented and caused to be spread upon the record a resolution which states that "the Chinese Government have no intention to effect any change which may disturb the present administration of the Chinese maritime customs."

THE SHANTUNG TREATY

CHINA AND JAPAN, being equally animated by a sincere desire to settle amicably and in accordance with their common interest outstanding questions relative to Shantung, have resolved to conclude a treaty for the settlement of such, and have to that end named as their plenipotentiaries, that is to say:

His Excellency the President of the Chinese Republic;

Soa Ke Alfred Sze, Envoy Extraordinary and Minister Plenipotentiary;

Vi Kvuin Wellington Koo, Envoy Extraordinary and Minister Plenipotentiary; and

Chung-Hui Wang, former Minister of Justice;

His Majesty the Emperor of Japan;

Baron Tomosaburo Kato, Minister of the Navy;

Baron Kijuro Shidehara, Ambassador Extraordinary and Plenipotentiary; and

Masanao Hanihara, Vice Minister for Foreign Affairs;

Who, having communicated to each other their respective full powers, found to be in good and due form, have agreed upon the following articles:

I THE FORMER GERMAN LEASED TERRITORY OF KIAO-CHAU

1. Japan shall restore to China the former German leased territory of Kiao-Chau.

2. The Governments of Japan and China shall each appoint a commission with powers to make and carry out detailed arrangements relating to the transfer of the administration and of public property in the said territory and to settle other matters equally requiring adjustment. For such purposes the Japanese and Chinese commissions shall meet immediately upon the coming into force of the present agreement.

3. The said transfer and adjustment shall be completed as soon

as possible, and in any case not later than six months from the date of the coming into force of this agreement.

4. The Japanese Government agrees to hand over to the Chinese Government, upon the transfer to China of the administration of the former German leased territory of Kiao-Chau, such archives, registers, plans, title-deeds and other documents, in the possession of Japan or certified copies thereof, as may be necessary for the said transfer, as well as those that may be useful for the administration by China, after such transfer, of that territory, and of the fifty-kilometre zone around Kiao-Chau Bay.

II PUBLIC PROPERTIES

1. The Government of Japan undertakes to transfer to the Government of China all public properties, including land, buildings, works or establishments in the leased territory of Kiao-Chau, whether formerly possessed by the German authorities or purchased or constructed by the Japanese authorities during the Japanese administration of the said territory, save those indicated in this article (Paragraph 3) of this treaty.

2. In the transfer of such public properties no compensation will be claimed from the Government of China except (1) for those purchased or constructed by the Japanese authorities and also (2) for the improvement on or additions to those formerly possessed by the German authorities. With regard to cases under these two categories, the Government of China shall refund a fair and equitable proportion of the expenses actually incurred by the Government of Japan for such properties specified in (1) or such improvements or additions specified in (2), having regard to the principle of depreciation.

3. It is agreed that such public properties in the leased territory of Kiao-Chau as are required for the Japanese Consulate to be established in Tsing-tao shall be retained by the Government of Japan, and that those required more especially for the benefit of the Japanese community, including public schools, shrines and cemeteries, shall be left in the hands of the said community.

Details of such matter shall be arranged by the joint commission provided for in an article of this treaty.

III JAPANESE TROOPS

The Japanese troops, including gendarmes now stationed along the Tsing-tao-Tsinanfa Railway and its branches, shall be with-

drawn as soon as the Chinese police or military force shall have been sent to take over the protection of the railway.

The disposition of the Chinese police or military force and the withdrawal of the Japanese troops under the foregoing provisions may be effected in sections. The date of the completion of such process for each section shall be arranged in advance between the competent authorities of Japan and China. The entire withdrawal of such Japanese troops shall be effected if possible within three months, and, in any case, not later than six months from the date of the signature of the present agreement.

The Japanese garrison at Tsing-tao shall be completely withdrawn, simultaneously, if possible, with the transfer of the administration of the leased territory of Kiao-Chau to China, and in any case not later than thirty days from the date of such transfer.

IV THE MARITIME CUSTOMS

1. It is agreed that upon the coming into force of the present treaty the Custom House of Tsing-tao shall be made an integral part of the Chinese maritime customs.

2. It is understood that the provisional agreement of Aug. 6, 1915, between Japan and China relative to the maritime customs office at Tsing-tao will cease to be effective upon the coming into force of the present treaty.

V THE TSING-TAO-TSINANFU RAILWAY

1. Japan shall transfer to China the Tsing-tao-Tsinanfu Railway and its branches, together with all the properties appurtenant thereto, including wharves, warehouses and other similar properties.

2. China, on her part, undertakes to reimburse to Japan the actual value of the railway properties mentioned in the preceding paragraph. The actual value to be so reimbursed shall consist of the sum of 53,406,141 gold marks (which is the assessed value of such portion of the said properties as was left behind by the Germans), or its equivalent, plus the amount which Japan, during her administration of the railway, has actually expended for permanent improvements on or additions to the said properties, less a suitable allowance for depreciation. It is understood that no charge will be made with respect to the wharves, warehouses and other similar properties mentioned in Paragraph 1 of this article, except for such permanent improvements on or additions to them as may have been made by Japan during her administration of the railway, less a suitable allowance for depreciation.

3. The Government of Japan and the Government of China shall each appoint three commissioners to form a joint railway commission, with powers to appraise the actual value of the railway properties on the basis defined in the preceding paragraph, and to arrange the transfer of the said properties.

4. Such transfer shall be completed as soon as possible, and, in any case, not later than nine months from the date of the coming into force of the present agreement.

5. To effect the reimbursement under Paragraph 2 of this article, China shall simultaneously with the completion of the transfer of the railway properties, deliver to Japan Chinese Government Treasury notes, secured on the properties and revenues of the railway, and running for a period of fifteen years, but redeemable at the option of China at the end of five years from the date of the delivery of the Treasury notes, or at any time thereafter upon six months' previous notice.

6. Pending the redemption of the said Treasury notes, the Chinese Government will select and appoint, for so long a period as the said notes remain unredeemed, a Japanese subject to the post of traffic manager and another Japanese subject to be chief accountant jointly with the Chinese chief accountant with coördinate functions. These officials shall all be under the direction, control and supervision of the Chinese managing director, and removable for cause.

7. Financial details of a technical character relating to the said Treasury notes, not provided for in this article, shall be determined in mutual accord between the Japanese and Chinese authorities as soon as possible, and, in any case, not later than six months from the date of the coming into force of the present agreement.

VI THE EXTENSIONS OF THE TSING-TAO-TSINANFU RAILWAY

It is agreed that the concessions relating to the two extensions of the Tsing-tao-Tsinanfu Railway, namely, the Tsinanfu-Shunteh and the Kaomi-Hsuchowfu lines, will be thrown open for the common activity of an international financial group, on terms to be arranged between the Chinese Government and the said group.

VII MINES

The mines of Tsechuan, Fangtse and Chinlingchen, for which the mining rights were formerly granted by China to Germany, shall be handed to a company to be formed by a special charter of the Chinese Government, in which the Japanese capital may not exceed the amount of the Chinese capital. The mode and terms of such ar-

rangement shall be determined by the Chinese and Japanese commissions which are to be appointed for that purpose and which shall meet immediately upon the coming into force of the present agreement.

VIII OPENING OF THE FORMER GERMAN LEASED TERRITORY

The Japanese Government declares that it has no intention of seeking the establishment of an exclusive Japanese settlement or of an international settlement in Tsing-tao.

The Chinese Government, on its part, declares that the entire area of the former German leased territory of Kiao-Chau will be opened to foreign trade, and that foreigners will be permitted freely to reside and carry on commerce, industry, and other lawful pursuits within such area.

The vested rights lawfully and equitably acquired by foreign nationals in said area, whether under the German régime or during the Japanese military occupation, will be respected.

All questions relating to the status or validity of such vested rights acquired by Japanese nationals shall be arranged by the Sino-Japanese Joint Commission.

IX SALT INDUSTRY

Whereas, the salt industry is a Government monopoly in China, it is agreed that the interests of Japanese companies of Japanese nationals actually engaged in the said industry along the coast of Kiao-Chau Bay are to be purchased by the Chinese Government on payment of fair compensation, and that exportation to Japan of a quantity of salt produced by the said industry along the said coast is to be permitted on reasonable terms. Arrangements for the above purposes, including the transfer of said interests to the Chinese Government, shall be completed by the Chinese and Japanese commissions as soon as possible, and in any case not later than six months from date of the coming into force of the present agreement.

X SUBMARINE CABLES

Japan declares that all the rights, titles and privileges concerning former German submarine cables between Tsing-tao and Chefoo, and between Tsing-tao and Shanghai, are vested in China, with the exception of those portions of the said two cables which have been utilized by the Japanese Government for the laying of a cable between Tsing-tao and Sasebo—it being understood that the ques-

tion relating to the landing and operation at Tsing-tao and the said Tsing-tao-Sasebo cable shall be arranged by the Chinese and Japanese commissions as subject to the terms of the existing contracts to which China is a party.

XI WIRELESS STATIONS

The Japanese wireless stations at Tsing-tao and Tsinanfu shall be transferred to China upon the withdrawal of the Japanese troops at those two places, respectively, with fair compensation for the value of these stations. The details of such transfer and compensation shall be arranged by the Chinese and Japanese commissions.

ANNEXES

I. **PREFERENTIAL RIGHTS.** Japan declares that she renounces all preferential rights with regard to foreign assistance in persons, capital and material, stipulated in the Sino-German Treaty of March 6, 1898.

II. **PUBLIC ENTERPRISES.** Enterprises relating to electric light, telephone, stock yards, etc., shall be handed over to the Chinese Government, with the understanding that the stock yard, electric light and laundry enterprises are, in turn, to be handed over to the municipal government of Tsing-tao, which will form Chinese corporations in conformity with the Chinese Company law to manage them under municipal supervision and regulations.

III. **TELEPHONES.** 1. The Japanese Government agrees to turn over to the Chinese Government the telephone enterprise in the former German leased territory of Kiao-Chau.

2. As regards such telephone enterprise, the Chinese Government will give due consideration to requests from the foreign community at Tsing-tao for such extensions and improvements as may be reasonably required by the general interests of the public.

IV. **PUBLIC WORKS.** The Chinese Government declares that in the management and maintenance of the public works in Tsing-tao, such as roads, waterworks, parks, drainage, sanitary equipment, etc., handed over to the Chinese Government by the Japanese Government, the foreign community in Tsing-tao shall have fair representation.

V. **MARITIME CUSTOMS.** The Chinese Government declares that it will move the Inspector General of the Chinese maritime customs to permit the Japanese traders at Tsing-tao to communicate with the said customs in the Japanese language, and, in the selection of

a suitable staff for the Tsing-tao customs, to give consideration within the limits of its established service regulations to the diverse needs of the trade of Tsing-tao.

VI. THE TSING-TAO-TSINANFU RAILWAY. Should the Joint Railway Commission fail to reach an agreement on any of the matter entrusted to its charge, the points at issue shall be taken up by the two Governments for discussion and adjustment by means of diplomacy. In the determination of such points the two Governments shall, if necessary, obtain recommendations of an expert or experts of a third power or powers who shall be designated in mutual agreement with each other.

VII. EXTENSION OF THE TSING-TAO-TSINANFU RAILWAY. The Japanese Government has no intention of claiming that the option for the construction of the Chefoo-Weihsien Railway should be thrown open for the common activity of the international financial consortium if that railway is to be constructed with Chinese capital.

VIII. OPENING OF THE FORMER LEASED TERRITORY. The Chinese Government declares that, pending the enactment and general application of laws regulating the system of local self-government in China, the Chinese local authorities will ascertain the views of the foreign residents in the former German leased territory of Kiaochau in such municipal matters as may directly affect their welfare and interests.

SPECIAL UNDERSTANDINGS

1. It is understood that on taking over the railway, the Chinese authorities shall have full power and discretion to continue to remove the present employés of Japanese nationality in the service of the railway and that reasonable notice may be given before the date of the transfer of the railway. Detailed arrangements regarding the replacement to take effect immediately on the transfer of the railway to China are to be made by the Chinese and Japanese authorities.

2. It is understood (1) that the entire subordinate staff of the Japanese traffic manager and of the Japanese chief accountant is to be appointed by the Chinese Managing Director; and (2) that after two years and a half from the date of the transfer of the railway, the Chinese Government may appoint an assistant traffic manager of Chinese nationality, for the period of two years and a half, and that such assistant Chinese traffic manager may also be appointed at any time after six months' notice for the redemption of the Treasury notes is given.

3. The Japanese delegation declares that Japan has no intention

to claim that China is under any obligation to appoint Japanese nationals as members of the said subordinate staff.

4. It is understood that the redemption of the said Treasury notes will not be effected with funds raised from any source other than Chinese.

RESOLUTION

Regarding a Board of Reference to Serve the Principle of the Open Door in China

I. With a view to applying more effectually the principles of the Open Door or equality of opportunity in China for the trade and industry of all nations, the powers other than China represented at this conference agree:

(a) Not to seek or to support their nationals in seeking any arrangement which might purport to establish in favour of their interests any general superiority of right with respect to commercial or economic development in any designated region of China;

(b) Not to seek or to support their nationals in seeking any such monopoly or preferences as would deprive other nationals of the right of undertaking any legitimate trade or industry in China or of participating with the Chinese Government or with any local authority in any category or public enterprise which by reason of its scope, duration or geographical extent is calculated to frustrate the principle of equal opportunity.

It is understood that this agreement is not to be so construed as to prohibit the acquisition of such properties or rights as may be necessary to the conduct of a particular commercial, industrial or financial undertaking or to the encouragement of invention and research.

II. The Chinese Government takes note of the above agreement and declares its intention of being guided by the same principles in dealing with applications for economic rights and privileges from Governments and nationals of all foreign countries whether parties to that agreement or not.

III. The powers, including China, represented at this conference agree in principle to the establishment in China of a Board of Reference to which any question arising on the above agreement and declaration may be referred for investigation and report. (A detailed scheme for the constitution of the board shall be formed by the special conference referred to in Article I of the convention on Chinese customs duties.)

RAILWAY RESOLUTIONS OF JANUARY 19

(a) The Chinese Government declares that throughout the whole of the railways in China it will not exercise or permit any unfair discrimination of any kind. In particular there shall be no discrimination whatever, direct or indirect, in respect of charges or of facilities on the ground of the nationality of passengers or the countries from which or to which they are proceeding, or the origin or ownership of goods or the country from which or to which they are consigned, or the nationality or ownership of the ship or other means of conveying such passengers or goods before or after their transport on the Chinese railways.

The other powers represented at this conference take note of the above declaration and make a corresponding declaration in respect of any of the aforesaid railways over which they or their nationals are in a position to exercise any control in virtue of any concession, special agreement or otherwise.

Any question arising under this declaration may be referred by any of the powers concerned to the Board of Reference, when established, for consideration and report.

(b) The resolution for railway unification, as finally adopted, read thus:

The powers represented in this conference record their hope that, to the utmost degree consistent with legitimate existing rights, the future development of railways in China shall be so conducted as to enable the Chinese Government to effect the unification of the railways into a railway system under Chinese control, with such foreign financial and technical assistance as may prove necessary in the interests of that system.

RESOLUTION REGARDING REDUCTION OF CHINA'S ARMIES

Whereas the powers attending this conference have been deeply impressed with the severe drain on the public revenue of China through the maintenance in various parts of the country of military forces, excessive in number and controlled by the military chiefs of the provinces without coördination; and

Whereas the continued maintenance of these forces appears to be mainly responsible for China's present unsettled political conditions; and

Whereas it is felt that large and prompt reductions of these forces will not only advance the cause of China's political unity and economic development, but will hasten her financial rehabilitation;

Therefore, without any intention to interfere in the internal problems of China, but animated by the sincere desire to see China develop and maintain for herself an effective and stable Government, alike in her own interest and in the general interest of trade; and being inspired by the spirit of this conference, whose aim is to reduce, through the limitation of armaments, the enormous disbursements which manifestly constitute the greater part of the encumbrance upon enterprise and national prosperity; it is

Resolved, That this conference express to China the earnest hope that immediate and effective steps may be taken by the Chinese Government to reduce the aforesaid military forces and expenditures.

RESOLUTION REGARDING PUBLICATION OF ALL INTERNATIONAL AGREEMENTS

The powers represented in this conference, considering it desirable that there should hereafter be full publicity with respect to all matters affecting the political and other international obligations of China and of the several powers in relation to China, are agreed as follows:

I

The seven powers other than China will, at their earliest convenience, file with the Secretariat General of the conference for transmission to the participating powers a list of all treaties, conventions, exchange of notes or other international agreements which they may have with China, or with any other power or powers in relation to China, which they deem to be still in force and upon which they may desire to rely. In each case citations will be given to any official or other publication in which an authoritative text of the documents may be found. In any case in which the document may not have been published, a copy of the text (in its original language or languages) will be filed with the Secretariat General of the conference.

Every treaty or other international agreement of the character described which may be concluded hereafter shall be notified by the Governments concerned within sixty days of its conclusion to the powers who are signatories of or adherents to this agreement.

II

The several powers other than China will file with the Secretariat General of the conference at their earliest convenience for trans-

mission to the participating powers a list, as nearly complete as may be possible, of all those contracts between their nationals, of the one part, and the Chinese Government or any of its administrative subdivisions or local authorities, of the other part, which involve any concession, franchise, option or preference with regard to railway construction, mining, forestry, navigation, river conservancy, harbour works, reclamation, electrical communications, or other public works or public services, or for the sale of arms or ammunition, or which involve a lien upon any of the purviews or properties of the Chinese Government or of any of its administrative subdivisions. There shall be, in the case of each document so listed, either a citation to a published text or copy of the text itself.

Every contract of the public character described which may be concluded hereafter shall be notified by the Governments concerned within sixty days after the receipt of information of its conclusion to the powers who are signatories of or adherents to this agreement.

III

The Chinese Government agrees to notify, in the condition laid down in this agreement, every treaty, agreement or contract of the character indicated herein which has been or may hereafter be concluded by that Government or by any local authority in China with any foreign power or the nationals of any foreign power, whether party to this agreement or not, so far as the information is in its possession.

IV

The Governments of powers having treaty relations with China, which are not represented at the present conference, shall be invited to adhere to this agreement. The United States Government, as convener of the conference, undertakes to communicate this agreement to the Governments of the said powers, with a view to obtaining their adherence thereto as soon as possible.

RESOLUTION BANISHING SPHERES OF INFLUENCE

Resolved, That the signatory powers will not support any agreement by their respective nationals with each other designed to create spheres of influence or to provide for the enjoyment of exclusive opportunity in designated parts of Chinese territory.

RESOLUTION REGARDING RADIO STATIONS IN CHINA

The representatives of the powers hereinafter named participating

in the discussion of Pacific and Far Eastern questions in the conference on the limitation of armament, to wit, the United States of America, Belgium, the British Empire, China, France, Italy, Japan, the Netherlands and Portugal, have resolved:

1. That all radio stations in China, whether maintained under the provisions of the International Protocol of September 7, 1901, or in fact maintained in the grounds of any of the foreign legations in China, shall be limited in their use to sending and receiving Government messages and shall not receive or send commercial or personal or unofficial messages, including press matters; provided, however, that in case all other telegraphic communication is interrupted, then, upon official notification accompanied by proof of such interruption to the Chinese Ministry of Communications, such stations may afford temporary facilities for commercial, personal or unofficial messages, including press matter, until the Chinese Government has given notice of the termination of the interruption.

2. All radio stations operated within the territory of China by a foreign Government or the citizens or subjects thereof, under treaties or concessions of the Government of China, shall limit the messages sent and received by the terms of the treaties or concessions under which the respective stations are maintained.

3. In case there be any radio station maintained in the territory of China by a foreign Government or citizens or subjects thereof without the authority of the Chinese Government such station and all the plant, apparatus and material thereof shall be transferred to and taken over by the Government of China, to be operated under the direction of the Chinese Ministry of Communications upon fair and full compensation to the owners for the value of the installation, as soon as the Chinese Ministry of Communications is prepared to operate the same effectively for the general public benefit.

4. If any question shall arise as to the radio stations in leased territories, in the South Manchurian Railway zone or in the French concession at Shanghai, they shall be regarded as matters for discussion between the Chinese Government and the Government concerned.

5. The owners or managers of all radio stations maintained in the territory of China by foreign powers or citizens or subjects thereof shall confer with the Chinese Ministry of Communications for the purpose of seeking a common arrangement to avoid interference in the use of wave lengths by wireless stations in China, subject to such general arrangements as may be made by an international conference convened for the revision of the rules estab-

lished by the International Radio Telegraph Convention signed at London, July 5, 1912.

RESERVATIONS

The powers other than China declare that nothing in paragraphs 3 or 4 of the resolution of December 7, 1921, is to be deemed to be an expression of opinion by the conference as to whether the stations referred to therein are or are not authorized by China.

They further give notice that the result of any discussion arising under Paragraph 4 must, if it is not to be subject to objection by them, conform with the principles of the open door, or equality of opportunity, approved by the conference.

The Chinese delegation takes this occasion formally to declare that the Chinese Government does not recognize or concede the right of any foreign power or of the nationals thereof to instal or operate, without its express consent, radio stations in legation grounds, settlements, concessions, leased territories, railway areas or other similar areas.

APPENDIX B

EXCHANGE OF NOTES BETWEEN THE AMERICAN MINISTER AT PEKING AND THE WAI CHIAO PU REGARDING ACTION RELATING TO GERMANY

1

(The American Minister at Peking to the Minister of Foreign Affairs. Copy.)

Peking, February 4th, 1917.

EXCELLENCY:

I have the honor to advise Your Excellency that I have been instructed by my Government to make you the following notification in its behalf:

This Government, in view of the recent announcement by the German Government of its intention to renew indiscriminate submarine warfare, has no alternative but to pursue the course laid down in its note to the German Government on April 18th, 1916. It will therefore recall the American Ambassador and his suite at Berlin, and will forthwith deliver to the German Ambassador in Washington passports for himself and his suite.

I am further instructed to say that the President is reluctant to believe that Germany will actually carry out the threats made against neutral commerce, but, if it is done, the President will ask from Congress authority to use the national power to protect American citizens engaged in peaceful and lawful errands on the high seas. The course taken is, in the view of the President, in entire conformity with the principles enunciated by him in his address to the Senate on January 22nd, and he therefore believes that it will make for the peace of the world if the other neutral Powers can find it possible to take action similar to that taken by the United States.

I avail, etc.,
PAUL REINSCH.

2

(The Minister of Foreign Affairs to the American Minister at Peking. Translation.)

Peking, 9th day, 2nd month,
6th year of the Republic.

YOUR EXCELLENCY:

I have the honor to acknowledge the receipt of Your Excellency's note of February 4th, 1917, informing me that the Government of the United States of America, in view of the adoption by the German Government of its new policy of submarine warfare on the 1st of February, has decided to take certain action which it judges necessary as regards Germany.

The Chinese Government, like the President of the United States of America, is reluctant to believe that the German Government will actually carry into execution those measures which imperil the lives and property of citizens of neutral states and jeopardize the commerce, even legitimate, between neutrals as well as between neutrals and belligerents and which tend, if allowed to be enforced without opposition, to introduce a new principle into international law.

The Chinese Government being in accord with the principles set forth in Your Excellency's note and firmly associating itself with the Government of the United States, has taken similar action by protesting energetically to the German Government against the new measures of blockade. The Chinese Government also proposes to take such action in the future as may be deemed necessary for the maintenance of the principles of international law.

I avail, etc.,
WU TING-FANG.

APPENDIX C

HOW BRITISH IN THE FAR EAST VIEW THE ANGLO-
JAPANESE ALLIANCE

"The Japan Chronicle," published at Kobe, recently celebrated its thirtieth anniversary under the same editorship—that of Robert Young, who resided in Japan for thirty-five years. The "Chronicle" is firmly established as the leading British organ published in Japan, and Mr. Young (who died in 1923) is recognized as an authority on policies and conditions in that country. Follow extracts from editorials in "The Japan Chronicle" on various developments and phases of the alliance:

DOES THE ALLIANCE "MAINTAIN PEACE"?

"The Japan Chronicle"

June 9, 1921

In translating certain phrases from English into Japanese or from Japanese into English, it is necessary, on account of association of ideas being so diverse, to add explanations, indicate exceptions, and explain implications. This must happen in the case of any languages that lack a common origin or have far diverged.

But there is no reason to suppose that this is so in the case of the well-worn phrase "the peace of the Far East." The words must mean just the same in Japanese as they do in English. Yet they are assuredly used in a very special sense. For instance, the "Asahi," in an article of which we published a translation on the 1st instant, states perfectly seriously that the Anglo-Japanese Alliance has maintained the peace of the Far East since 1902, and has contributed to the peace of the world at large. The Russo-Japanese War was not a very happy example of the preservation of the peace, and if one thing is more certain than another it is that that war was the direct outcome of the Treaty. The Boxer rebellion and a long series of civil wars in China, the siege and capture of Tsingtau, the mobilization of a military expedition to compel China to sign a predatory treaty in 1915, the invasion of Manchuria, and the expedition to and occupation of Siberia, are none of them eminently peaceful episodes. As for assisting in maintaining the peace of the world, it is nearly seven years now since the world knew what peace was.

Yet it is not with the tongue in the cheek that Japanese writers continually say that the Anglo-Japanese Alliance has maintained

the peace of the Far East and buttressed that of the whole world. It is said in all seriousness. There is only one possible explanation, and that is that when Japanese writers think of peace in the Far East they think of it only as a condition imposed by Japan—a sort of *pax Romana* on a small scale.

A peace imposed by Japan and depending upon Japan's dominance is their ideal of "peace in the Far East," and there is a sort of naive simplicity in not only assuming that this is the best possible kind of peace, but in also assuming that it is the kind of peace that will best be appreciated by other nations. It is probably a legacy of long seclusion that Japanese writers always seem to assume that what is satisfactory to themselves must needs be satisfactory to all peoples. But when it is thoroughly grasped that the praise of the Anglo-Japanese Alliance for maintaining the peace is really praise for its having secured Japan's hegemony, it will begin to be apparent, except to insular Japanese writers, that the world at large has no particular reason for regarding the Alliance as an instrument of unexampled beneficence. The most unfortunate effect of calling a military hegemony "peace" is that it leads to self-deception.

REAL CHARACTER OF THE ALLIANCE

"The Japan Chronicle"

June 23, 1921

In the parliamentary debate preliminary to the Imperial Conference, all the critics of the Anglo-Japanese Alliance quoted by Reuter are Coalition-Unionists, which indicates that there is no lack of dubiety regarding the needs and objects of the renewal of the Anglo-Japanese Alliance. But, as is only to be expected of a Parliament constituted like the present one, the debate was so feeble that Mr. Chamberlain was able to congratulate it on its high tone. He confessed that the reasons for the Alliance have passed away and that there is no reason for the Alliance at present. But, he said, the future must be looked to. To its eyes being bandaged in this manner the House of Commons appears to have submitted without a protest. Its misgivings are set at rest by the suggestion that the Colonial Premiers will have a deciding voice. But it is questionable whether they are any more independent agents than the average party man in Parliament. The conversion of Messrs. Hughes and Massey was rather too sudden to carry conviction. There is a good deal of secret diplomacy within the Empire, and both Premiers are very susceptible to arguments re-

garding the value of a policy which will make it possible for the mother country to ease their throes of budget-making.

Mr. Chamberlain carefully kept away from the essentials of his subject. He said that future contingencies had to be provided against, but he did not explain what contingencies these were. The Alliance is not, as the Government organ in Japan says, a mere testimonial of warm friendship. It is the pretence that alliances have this character which leads to the foolish demands for an alliance that shall include America, France, Belgium, Italy, and everybody else concerned in the reconstruction of the world after the war.

The essence of the Alliance is that it is a military pact, and Parliament has a right to know whom it is that the makers of the Treaty believe that they may have to fight in the future. Those who recommend its renewal most warmly do so on the grounds of its past value as a fighting instrument. They cannot pretend that such an alliance in the future will have no military implications whatever. That is simply to confess that there is no need for an alliance, and it is contrary to the intentions of those who are arranging for a renewal.

Emphasis is laid on the fact that it will not be and cannot be directed against the United States. Then who is the enemy? The Japanese navy is not necessarily being enlarged at such a frantic rate because of any intention to fight the United States. But it is clear that it will create an effective deterrent to protests which the United States might feel inclined to make regarding Japanese action on the Asiatic mainland. The only surmise towards which this points is that Britain and Japan desire to cooperate in deterring interference with their Asiatic operations. This, as diplomatists understand the truth, would not prevent diplomatists from truthfully declaring that the Alliance was not directed in any manner against the United States.

The whole point of the objection lies in the fact that while the Alliance has been an effective military instrument, it has acted in a manner directly contrary to its professions so far as they have been pacific. It has not preserved the integrity of China but has prevented other Powers making any attempt to preserve it.

PURPOSES OF THE ALLIANCE

"The Japan Chronicle"

July 7, 1921

Like most men who take up a cause in which they do not believe, Mr. Hughes, the Australian Premier, does the renewal of the

Alliance more harm than good. He harps upon the entire lack of hostility towards America and on the influence which Britain will acquire in Far Eastern counsels. Then the only justification for his point of view, and the only recommendation of Alliance that he has to offer America, is that Britain will use that influence in order to protect American interests if Japan should try to encroach upon them. This may be a very high-minded spirit in which to enter an alliance—"with hostility to none, with charity to all," and all that sort of thing—but it is not a reason for joining in an alliance that appeals to the unregenerate. And Mr. Hughes does not make his appeal to the elect only. He appeals to the unregenerate on the value of the Alliance which will give Britain Japan's powerful support. In other words, according to Mr. Hughes, the Alliance is to support Britain's aims and checkmate Japan's—a one-sided alliance indeed which would be insulting to Japan to seek.

It is curious how the proposals regarding the warlike intention of the Alliance limit themselves to negatives. We hear a great deal about how it must be made quite plain that America is to be free from any suspicion of British hostility or attack. Considering that America is better able than any country in the world to take care of herself, this seems rather superfluous. It would be more reassuring to many countries if the treaty should be subject to attack in common. For instance the Treaty might say:

"In consideration of the fact that France, Holland and Russia (confound them!) have interests both in Europe and the Far East, the High Contracting Parties will jump on any of these States at both ends simultaneously if they get too uppish, and will share the spoils in common. And as for poor old China, that predestined spoil shall be shared in the friendliest manner in the world and American interests frozen out so far as they do not put themselves into the hands for operation of the High Contracting Parties. Only all must be done in the politest manner so that the unbroken friendship may be expressed all the time with any degree of oleaginousness required. And in every possible way the High Contracting Parties shall prevent any matters in which their interests are involved from coming before that absurd contraption the League of Nations, and shall prevent the League from settling any matter such as shall create a precedent for meddling in the affairs of the High Contracting Parties, to the end that the glorious tradition of alliance in arms may be preserved and disarmament heresies squelched."

This would be "positive" policy such as Japanese politicians are

fond of advocating, and it would bring great comfort and reassurance to all the countries not named, and would make them love Britain and Japan. Or if they did not love them, they could be brought to their senses very easily. Of course, the scheme is only tentative. The language needs a little diplomatic polish. All that we intend to suggest is that when two countries, both members of the League of Nations, ally themselves in arms, they should specify what country or countries approves or not.

WHOM DOES THE ALLIANCE THREATEN?

"The Japan Chronicle"

July 14, 1921

All the protestations that the Anglo-Japanese Alliance threatens nobody are stultified by the admissions that assurances have been necessary to the United States. So dangerous an instrument was it that was concluded in 1902 that on its revision in 1911 the British Government had to declare to the Japanese Government that it would regard as a treaty of general arbitration an arrangement with the United States that did not provide for arbitration at all.

But the danger remains of other countries finding themselves faced by an Anglo-Japanese combination. If such a danger is less regarded it is only because, with the exception of the United States, there is now no country in a war with whom either Japan or Britain would need the help of the other, though there are contingencies where this combination might have the most far-reaching effects.

It is in its aspect as an instrument of war that the Alliance has become most objectionable. Under the League of Nations it is extremely improper that such instruments of war should exist between members at all. It is true that, by making military alliances with Belgium and Poland, France has secured a military hegemony of Europe, directed against interference by British, but this does not justify Britain and Japan in doing likewise, and, except with regard to Russian relations, an Anglo-Japanese Alliance would not be of much value in any European dispute. Even as regards Russia, only after a diametrical change of policy could the Alliance become useful in the rescue of that State. Up to the present Japan's policy has shown a considerable susceptibility to French influence, whether in the rescue of the Czechs or the spoliation of the Germans, so it is hardly possible to regard the Anglo-Japanese Alliance as a set-off against the French hegemony of Europe. To some readers it will seem hardly decent, after the protestations of eternal friendship with France, to discuss such

possibilities at all. But if there is any impropriety at all, it consists in the creation of armed alliances, not in a discussion of their possible reasons and results.

FUTILITY OF A "TRIPLE ALLIANCE"

"The Japan Chronicle"

September 1, 1921

It might have been thought that the world had had enough of alliances after the last war. That war would probably never have been fought if Europe had not been divided into two camps by alliances, which led to the arming of groups against each other and then to the precipitation of a war which, as can easily now be seen, would have been avoided if the fatal instruments of conflict were not ready for immediate use. But mankind does not learn rapidly even by experience.

The Anglo-Japanese Alliance is to all intents and purposes dead. That is admitted even by Japanese who a few months ago were most enthusiastic for its renewal. It is recognized as dead by the British Foreign Office. Even the English advocates who are in favour of renewal admit that it has failed to accomplish its avowed objects, and their only excuse for its continuance is that somehow and by some means it might be serviceable in accomplishing the purposes for which it was originally drafted.

But the opposition to it having grown strong, it is proposed that instead of renewing the Alliance, the instrument should be extended so as to include America. Mr. Lloyd George is in favour of this plan, principally, it would seem, as a means of "saving face"—the face in this case being the militarist desire that "strong" Powers should stand together. The suggestion has not been received favourably in America, and it has a cold welcome in Japan. But the opposition in the two countries is based on very different grounds. The United States opposes it partly because of the traditional objection to entangling alliances, but chiefly because it is realized that if the alliance of Japan with Britain failed to accomplish the object set forth in the agreement there is no reason to believe that the accession of America to the pact would make any essential difference.

It is realized in America, as it is realized by every one who has made an impartial study of the history of the existing Alliance, that so far from acting as a check on the designs of Japan's militarists, Britain's part in the Alliance has come to condone what she found herself unable to resist. No doubt there have been occasions where

Britain's influence has prevented Japan from going the full length advocated by some of her militarists, but the only effect of this has been to give an air of moderation to Japan's policy of penetration, and thus to render it more effective in practice. If America comes into the pact, she also will be constrained to adopt the same policy, and to condone where it would be better for the interest of America and even of Japanese people to protest.

The oldest and leading British newspaper published in north China is "The Peking and Tientsin Times." Its editor now and for several years past is H. G. W. Woodhead, C. B. E., who has lived and worked in China for more than ten years. He was decorated by the British and Belgian governments for his journalistic work during the World War. He is also the editor of the China Year Book. Follow extracts from a series of editorials written by Mr. Woodhead and published in "The Peking and Tientsin Times" in 1920, analyzing and criticizing the Anglo-Japanese alliance in the light of its record:

JAPAN, THE ALLIANCE, AND THE GREAT WAR

"The Peking and Tientsin Times"

March 29, 1920

Japan's policy then underwent a radical change. As the Ally of Great Britain she was pledged to do all in her power to consolidate and maintain the general peace in the regions of Eastern Asia and India, to preserve the common interests of all Powers in China by insuring the independence and integrity of the Chinese Empire and the principle of equal opportunities for the commerce and industry of all nations in China, and to maintain the territorial rights of the High Contracting Parties in the regions of Eastern Asia and India. The naval and military resources of her Ally were strained to the utmost during the European war, and Japan, by providing the bulk of the forces necessary to reduce Tsingtau, and by employing a portion of her Fleet to hunt for German raiders and submarines, rendered valuable services in the common cause. But her interpretation of her responsibilities in the Far East was amazing. As soon as it was clear that the war was likely to be protracted, and that the whole civilized world was so preoccupied with events in the West that little or no interest was felt regarding the situation in the Far East, Japan initiated a policy of naked aggression towards China.

The story of the negotiations in connection with the Twenty-one Demands is familiar to most of our readers. It is a story that few Japanese can recall without a feeling of shame. Viscount Kato, who had signed the Anglo-Japanese Alliance in 1911, was Foreign Minister, in Count Okuma's cabinet, at the time. And it would be difficult in the most unsavory chapters of modern diplomacy to find anything worse than the chicanery and deceit employed to ward off foreign protests until Japan had got her way.

When the details of the demands had leaked out, in spite of Japanese threats and precautions, Count Okuma gave out an interview in which he declared: that the criticisms of Japan were due to German instigation; that Japan's propositions "are in complete accord with the Anglo-Japanese Alliance and with all treaties and engagements with other countries guaranteeing equal opportunity and the integrity of China"; that Japan was not seeking to establish any monopoly in China or improperly to infringe the rights and interests of other Powers; that Japan had not demanded the appointment of Japanese advisers; and that when the final disclosures were made, it would be found that "the entire situation has been grossly exaggerated."

Every one of these statements was untrue. Japan knew full well that the acceptance of her outrageous demands could never be obtained by peaceful means. It is probable that she would have pressed for the acceptance of the whole of the Twenty-one Demands, but for the fact that her actions were beginning to excite hostile comment in Europe and America. Sir Edward Grey was being bombarded with questions in the House of Commons—questions to which he was unable to give frank or full replies. He could only state that Great Britain continued to be bound by the terms of the Anglo-Japanese Alliance, when what all the world wanted to know was whether Japan, also, continued to be bound by them. It was not until May 16th that America took any action, though it may be supposed that she had made inquiries of Peking and Tokio before matters came to a crisis. On that date she presented identic Notes to China and Japan, declaring that the Government of the United States "cannot recognize any agreement or understanding, which has been entered into or which may be entered into between the Governments of China and Japan impairing the Treaty rights of the United States and its citizens in China, the political or territorial integrity of the Republic of China or the international policy relative to China commonly known as the Open Door policy."

On May 7, 1915, a day which will go down in history in connection with two tragedies, one in the West (the sinking of the *Lusitania*) and the other in the Far East, Japan presented an Ultimatum to China, requiring immediate acceptance of all but Group V of the Twenty-one Demands. Group V, compliance with which would have converted China into a Japanese Protectorate, was at the last moment "detached" from "the present negotiations," to be discussed "separately in the future."

China was helpless at the moment. She could expect no real aid from Europe or America in resisting Japan's pretensions, and had, perforce, to accept the Demands, many of which could only be reconciled with the terms of the Anglo-Japanese Alliance, and the exchange of Notes between America and Japan, by a casuist of an exceptional (shall we say Japanese?) mentality. It is, however, on the strength of the pledges thus extorted from China that Japan bases her present claims in respect of Shantung—claims which, as the Chairman of the British Chamber of Commerce pointed out only on Friday last, admit of only one construction, "namely, she is not going to allow any other nation to have the opportunity of trading on fair and equal terms with her nationals."

The Japanese will probably never understand the impression made upon Britons and their European Allies in China by the Twenty-one Demands. It seemed to us a complete betrayal of our Ally—a betrayal the more callous because it was committed during a period when the British Empire was literally fighting for its existence. During the brief period that intervened between the presentation and the acceptance of the Japanese Ultimatum, Britons throughout the Far East were asking themselves, what next? Was Japan, our Ally, deliberately provoking a rupture with China as a pretext for changing sides during the Great War? Every Briton knew that this crisis had been brought on against the wishes of his Government. It seemed impossible that if we emerged victorious from the War, the concessions extorted from China in this outrageous manner would be recognized by our own and Allied Governments. If Japan really wanted to make sure of her booty, was not her obvious course to make common cause with our foes, who would gladly have granted her a free hand in the Far East, and much else besides, for her coöperation? Confidence in Japan's integrity and intentions was shaken as it had never been shaken before in the whole course of the Alliance, and as it must never be shaken again, if that Alliance is to be renewed, and to be of the slightest value to Great Britain. And when Japanese statesmen,

when Japanese Missionaries, tell us that "there is not a shadow of aggressiveness in the policy of the present Japanese Government toward China" we are constrained to reply that even if that be true, the present policy of Japan in China is deep-rooted in the great injustice of 1915, and that the only way to regain the confidence of China, and of the rest of the world, is to lay the axe to the root, which can never produce aught but poisonous and bitter fruit.

JAPAN'S PRESSURE ON CHINA

"The Peking and Tientsin Times"

April 7, 1920

It is an open secret that the reason advanced for Japan's opposition to China's entry into the war in the latter part of 1915 was her fear of the consequences of awakening military activity on the part of a nation of 400 millions. But the sincerity of this reasoning appears doubtful when one recalls the huge contracts for arms which were made by Japan with the Northern Militarists, between 1916 and 1918, and the attempt in the first half of 1915, to secure control of the Chinese Army, and a virtual monopoly of the supply of its arms and munitions. The least reproach that can be levelled at Japan on this score is that she showed herself extremely selfish, and quite indifferent to the wishes and interests of her Allies in Europe.

The real reason for Japan's attitude at this time must, we fear, be found in her design to turn the preoccupation of her Allies to the fullest possible account in prosecuting her schemes to make herself, indisputably, the paramount Power in the Far East. Some time later, when America had ceased to be neutral, the obvious trend of Japan's policy in the Far East prompted Mr. Lansing to suggest to Viscount Ishii the reaffirmation of the policy of the Open Door, and the preservation of China's territorial integrity. Viscount Ishii at once raised the question of the recognition of Japan's "special interests," but, as Mr. Lansing has since testified before the Senate Foreign Relations Committee, he declined to extend his recognition on behalf of the United States Government, unless it were clearly understood that there was no question of acknowledging that Japan had "paramount interests" in China. All that America was prepared to read into the words "special interests" was "that Japan, on account of her geographical position, had a peculiar interest in China, but that it was not of a political nature." Mr. Lansing

was averse to the use of the phrase at all, fearing that it might be wrongly construed, and in this fear he was, as it proved, correct. The Lansing-Ishii Note really achieved nothing except to make the Chinese believe that they had been "sold" by the United States.

Mr. Lansing had good ground for fearing that it was "the purpose of Japan to take advantage of the situation created by the war to extend her influence over China—political influence." For, following the 1915 Ultimatum, Japanese agents concluded a host of secret financial and economic agreements with various unscrupulous Chinese officials, the obvious object of which was to acquire by these means the privileges upon which she did not dare to insist, in May, 1915. Loans ranging from one to forty million yen were made to the Governments in Peking and the Provinces, and in some cases to Provinces in open rebellion against Peking. Twenty-nine such loans, totalling more than yen 246,000,000 were made in the year 1918 alone, and the effect of this indiscriminate financing of notoriously corrupt officials was to foment and prolong the internal dissension from which China is suffering even to this day. Whenever taxed with responsibility for these loans, the Japanese Government invariably took shelter behind the excuse that they were contracted without its knowledge or approval, but this pretence is belied by the lavish rewards bestowed upon those who were most successful in "financing" China.

The dramatic termination of the war, which aroused less enthusiasm in Japan than in any other Allied country, caused serious misgivings in Government circles in Tokio as to the results of Japan's policy in China during the preceding four years. It is scarcely necessary to recall the clumsy efforts that were made in Peking to intimidate the Chinese Government into suppressing the various secret engagements into which it had been compelled to enter during the war and to make the Chinese Delegation to Paris subordinate to the Japanese Delegates. Japanese statesmen were unable to conceal their apprehension at the prospect of China's playing an independent part at Paris, and but for the immediate publicity given to Tokio's attempts at intimidation, and the deplorable impression that would have been created throughout the world had Japan proceeded to carry out her threats, China would probably have been compelled to submit all her proposals at Paris to Japan, for the latter's approval, and to limit her activities in the Peace Conference to echoing the opinions of the Japanese Delegation. On this occasion, however, China was not bludgeoned into silence. She entered a very effective protest against the injustice to which she had been compelled to submit by Japan during the Great War, and

maintained her opposition to recognition of Japan's claims to the extent of refusing to sign the Peace Treaty.

WOULD JAPAN SEEK ANOTHER ALLIANCE?

"The Peking and Tientsin Times"

April 16, 1920

The Alliance must be denounced by one of the High Contracting Parties on or before July 13, 1920, if it is to terminate in July, 1921. It may be taken for granted that no denunciation will come from Japan. The Alliance has worked admirably from her point of view, and its extension, indefinitely, upon the same terms would suit her very well. Its denunciation, on the other hand, would seriously affect her position in international politics.

There is some suggestion that if the Alliance were not renewed Japan might be driven into the hands of Russia or Germany. So far as the Russians are concerned, unless there is a complete revulsion of feeling, any Alliance with Japan must be considered incredible. As well might one expect an Alliance between Germany and France. There has never in history been a time when the Russian people have been animated by such intense hatred of the Japanese as to-day. A Japanese Alliance with Germany would be futile as long as the Entente Powers insist upon the observance of the naval and military provisions of the Versailles Treaty. There is no other Power that is likely, with full knowledge of Japanese activities in the Far East, to seek an Alliance with her. Before the war her army, having beaten the Russians in Manchuria, was considered one of the most formidable and efficient in the world. To-day, compared with the armies and equipment of France, Britain and America, it must be considered a second-rate force. Japan has not yet succeeded in manufacturing or developing the use of any of the instruments which proved so effective in achieving the overthrow of the Central Powers: aéroplanes, monster artillery, tanks, and other weapons which were in daily general use on the European battlefields. Her navy is far more efficient, but dwarfed by the navies of Britain and the United States. She has, indeed, very little to offer as a quid pro quo for an alliance with an important European Power. If the war revealed anything it was her absolute dependence upon foreign supplies for the raw materials with which to make ships, weapons and munitions.

We do not expect Japan to make any serious attempt to find an Ally in another quarter, but we shall be extremely surprised if she does not strive might and main to secure the renewal of the Anglo-

Japanese Alliance. Its abrogation by Britain's denunciation would be a disastrous blow to Japanese prestige throughout the world. For it would be generally interpreted as evidence of Britain's disapproval of Japan's policy in the Far East during the Great War, and of British distrust of Japan's pledges in the future. If Japan had played the part we expected of her during the war there could be no question of denouncing the Alliance. If, in 1920, we evince a desire to have our hands free, only one possible interpretation can be placed upon our action. Do we wish the Alliance abrogated or renewed? If we desire it renewed, upon what basis? These questions we must leave for consideration in a subsequent article.

SHOULD THE ALLIANCE BE RENEWED?

"The Peking and Tientsin Times"

April 20, 1920

It is not unreasonable to urge that if the Alliance is to be renewed, Britain, as well as Japan, should derive some advantage from its renewal. Powers do not enter into Alliances unless they expect to derive some benefit from such a course, whether it takes the form of freedom to develop a policy which both Allies have at heart, or the protection of each other's interests in the event of hostilities in which either Ally is involved. It is, therefore, only reasonable to inquire whether the British Empire can expect any advantages from the renewal of the Anglo-Japanese Alliance which it could not reasonably expect to enjoy without an Alliance with Japan. The war has shown us how Japan interprets her obligations under the Alliance in its present form, when her Ally is "involved in war" as the result of "an unprovoked attack or aggressive action" on the part of another Power. Japan interpreted her obligations in the narrowest possible sense. From the time of the reduction of Tsingtau her chief concern appears to have been to exploit to the full the preoccupation of her Ally in Europe for her own selfish objects in China. As we have stated in a previous article, our chief gratitude to Japan must be based upon the fact that she abstained from attacking the territories of her Ally in the Far East, at a moment when we should have found it extremely embarrassing to defend them.

But what of the future? Can we reasonably expect a change in Japan's attitude? Is it conceivable that the extension of the Alliance will further our policies in Eastern Asia, and ensure the protection of our possessions in this portion of the Globe? We have seen that the policies of Great Britain and Japan, respectively,

in China are absolutely irreconcilable. Not only do we not approve of much that Japan has done in China during the past five years, but our own interests have suffered very substantially through our passive acquiescence. We have incurred, both in China and America, some of the moral obloquy which our Ally has earned by her actions in the Far East. We have, at certain crises in the recent history of China, been unable, owing to our loyalty to the Alliance, to range ourselves openly on the side of America and other enlightened Powers in opposition to Japan. Our statesmen have frequently found it impossible to give frank or full replies to reasonable inquiries regarding developments in the Far East, for fear of wounding Japanese susceptibilities. We have been compelled by the exigencies of the European situation, temporarily to concede to Japan the rôle of paramount Power in the Far East, and meekly to acquiesce in intrigues and outrages revolting to the Anglo-Saxon conscience. Are we to put the seal of approval upon our Ally's actions by the renewal of a Pact which she has thus abused?

The abrogation of the Alliance would be a great relief to the British Empire as a whole, which has much to lose, and nothing to gain, by its perpetuation. If the League of Nations Covenant, to which the Japanese, like ourselves, are a signatory, means what it says, every advantage we actually enjoy by virtue of the Alliance will still be ours. For under it, Japan is pledged to "respect and preserve as against external aggression, the territorial integrity and existing political independence of all members of the League." Under it Japan is pledged to submit "to arbitration or to inquiry by the Council" every dispute likely to lead to a rupture with another member of the League. And under it, "should any member of the League resort to war in disregard of the covenants—it shall ipso facto be deemed to have committed an act of war against all other members of the League." If the covenant, then, be something more than a mere "scrap of paper," we have nothing to fear from Japan if the Alliance be abrogated, while, instead of meekly acquiescing in her aggression in the East, under the specious pretext that we are bound to support our Ally, we should be able to challenge, and insist upon its submission to the Council of the League, every Japanese, every Japanese action which we considered of an aggressive or immoral character.

Our interests in either hemisphere do not march harmoniously with those of Japan, and our Alliance with her constitutes a serious obstacle to a real Anglo-American rapprochement. In this part of the world both Britain and America stand for the Open Door, abolition of special privileges, fair play in China, the eradication

of militarism, and "the destruction of every arbitrary Power anywhere that can separately, secretly and of its single choice disturb the peace of the world." Elsewhere the two great Anglo-Saxon nations are united in their determination to resist unrestricted Asiatic immigration, a policy based upon economic and racial considerations which cannot be overborne. Britain and America desire to see a strong, united China, with an efficient government of its own choosing.

Japan's policy is in opposition to ours at nearly every point. She does not want the Open Door, though she will sign agreements innumerable approving of it in principle, so long as she is the door-keeper. She is striving might and main to secure formal recognition of her "special privileges." Fair play for China does not even appear in her political creed. And if any proof were needed of the existence in the Far East of an "arbitrary Power" capable of "secretly and of its single choice" disturbing the peace of the world, surely we have had it recently in the aggressive actions of the Japanese militarists in Manchuria and Siberia. We can only continue to walk in the same pathway as Japan if we are content to tramp stolidly behind her with a torpid conscience. Neither the British Government of to-day, nor any British Government we are likely to have within the present generation, would dare to become an accomplice, upon equal terms, in Japan's policy in China. Our aspirations and traditions, moreover, do not fit us for the rôle of a passive accomplice in the commission of deeds of which we disapprove.

PARTING OF THE WAYS

"The Peking and Tientsin Times"

April 21, 1920

A few more words and we have done. The series of articles of which this is the last deals with the Anglo-Japanese Alliance from the point of view of a Briton in the Far East. Most of the facts mentioned are within the knowledge of all Britons who have resided in China during the past eight or nine years.

The deductions from those facts are necessarily a matter of individual opinion. We have attempted to be frank to the point of brutality because we believe the question of the renewal of the Anglo-Japanese Alliance to demand frankness. Ill-informed writers and public men in Europe and America present the public with a picture of Japan and her activities in the Far East which all impartial observers who have been in the Far East know to be a

travesty of the truth. If we have erred to the extent of exaggerating the other side of the picture we have done so without malice, and solely with the desire to reveal what most intelligent Britons in this part of the world have been thinking, if they have not been saying, during the crisis from which the British Empire has recently emerged. We must not be interpreted as suggesting that in all that had happened in China since the first Anglo-Japanese Alliance Treaty Japan has been wholly in the wrong, and we wholly in the right. There have been mistakes, serious mistakes on the part of British statesmanship as well as on the part of the statesmen of Japan. There have been times when our own policy towards China has not been free from the taint of Imperialism and aggression. The war, however, had led to a revision of our standards and our policy. We are endeavoring, we have been endeavoring for the past five years, to apply those new standards to our relations with other Powers. In the exigencies of war that has not always proved an easy or indeed a possible task.

But our eyes are fixed upon the hills for which we are making. The Conference of British Chambers of Commerce at Shanghai, last year, was a sign of the times. The resolutions it adopted, the discussions that preceded them, indicated an attitude towards China and her problems which would have been considered visionary and idealistic only a few years ago. Britons throughout the East today are champions of fair play for the country in which they live and trade. And their opposition to Japanese policies in this country is based upon the conviction that they are unfair to China, unfair to other nations, inconsistent with Anglo-Saxon ideals, and harmful to our good name as Japan's Ally. It may be that Japan herself will emerge from the present political turmoil with new standards, and honest and just policies. The almost universal opposition of the Japanese Press to the recent excesses of the Japanese Militarists in Siberia is a hopeful sign. But until we know Japan's intentions, until we know the path that she intends to tread, we ought not longer to be associated with her, even nominally, in her Far Eastern enterprises. We could and did plead that during the war we were too preoccupied in Europe to check Japanese aggression in China. That plea will no longer serve. As long as we are Allies we must in the eyes of the world, share the moral responsibility of Japan's actions. Can we continue to do so without drugging our consciences and conniving at violations of principles, the "maintenance of which is vital to the civilization of the world"?

Extract from an article contributed in 1921 to "Millard's Review

of the Far East" (Shanghai) by Mr. O. M. Green, editor of "The North-China Daily News" and "The North-China Herald." "The North-China Daily News" and the "Herald" are the senior and the principal British newspapers published in China, and Mr. Green has been connected with those papers as subeditor and editor for about fifteen years, having been editor for the last twelve years. Mr. Green exhibits the point of view of that class of British opinion which is disposed to tolerate a renewal of the alliance with Japan under certain conditions, but which distinctly stresses the need to revise it.

"To turn now to what China thinks of the Anglo-Japanese Alliance, it has at the outset to be confessed that one may more truly say that "China thinks" (that is, as a united nation) more on this subject than on any other; nor does she think calmly or kindly. The Peking Government is not accustomed to enjoy much approbation among the vocal part of the Chinese population. But when it tells Great Britain that any renewal of the Anglo-Japanese Alliance containing reference of any kind to China on which it has not been consulted will be regarded as an insult and an unfriendly act, it has the support of practically every student in the country. It would be absurd to affect surprise and dangerous to British standing in China to proceed with renewal of the Alliance, except under the most clearly expressed conditions and with the full cognizance of China. Conversely, however, the Chinese have no excuse for being surprised if other Powers conclude agreements with direct reference to themselves. For a weak, ill-governed and divided country which is full of rich but imperfectly developed possibilities is an undeniable source of trouble as the world wags to-day, and it is only natural that other Powers should endeavor to hedge about the potential powder mill with fire-proof barriers. Of such attempts the Lansing-Ishii agreement is a conspicuous example and more recently the New Consortium. It seems to be believed by the pro-denunciationists that to break the Anglo-Japanese Alliance would be a favorable means of enabling China to settle her internal troubles and to get upon her legs again. But there are reasons for doubting it. An alliance that has endured for so many years cannot be dissolved without fear of injurious results, and this appears to be specially true of the Anglo-Japanese. Were it denounced, it would be difficult to avoid making Japan appear as a pariah among the nations, as one unworthy of confidence, one that must be kept at arm's length. Nothing could be better calculated to revive the drooping power of the mailed fist and to drive Japan

into antagonism to all others having business in this part of the world. Her withdrawal from the Consortium could not be long delayed, and she would regain the position of a free lance, wielded by those of whom the outside world has most cause to think with misgiving, and with all the advantages which propinquity and the political divisions of China give her to make this country a virtual appanage to herself. One cannot resist the conclusion that the Chinese have far more to fear from an Alliance dissolved than from one revised and renewed.

But of the need for revision there can be no doubt. The Open Door in Manchuria needs real opening and effective hooking back, to take but one aspect which specially appeals to British merchants, and redress for China on her just complaints must be obtained with security against future like causes of complaint."

APPENDIX D

THE CASSEL AGREEMENT

Agreement made this twenty-third day of April one thousand nine hundred and twenty, being the ninth year of the Republic of China, twenty-third day, fourth moon, between the government of the Province of Kwangtung in the Republic of China, represented by their Excellencies the Military and Civil Governors of the Province of Kwangtung (hereinafter called "The Kwangtung Government") of the one part, and Major Louis Cassel (Retired), of Victoria in the Colony of Hongkong, an Officer of the most excellent Order of the British Empire and Sum Pak Ming of Victoria, aforesaid gentlemen as trustees for and on behalf of a syndicate to be formed for the purpose of exploiting certain coal-bearing districts in the said Province (hereinafter called "the Syndicate") of the other part, whereby it is agreed by and between the parties as follows:

1. The Kwangtung government will permit the Syndicate to bore, examine, and survey such ground as the Syndicate may be advised, or have reason to believe, contains coal within the following districts (abutting over, or adjacent to, the Canton-Hankow Railway and the Canton-Kowloon Railway), viz.: Nam Hoi, Pun U. Tung Koon, Po On, Sam Sui, Fa Yuen, Ying Tak, Ching Yuen, Yeung Shan, Lin Yuen, Kuk Kong, Lok Cheong, Yue Yuen, Yan Fa, Chee Hing, Nam Hung, Fat King, Yung Yuen, Ko Ming, Tsang Shing, Tsung Fa, etc. And the government will not alter the date of

signing of this Agreement grant permits to any other person, firm or Company to bore, examine, survey and mine in any of the districts above mentioned until the period set forth in clause 13 hereof shall have elapsed.

2. The Kwangtung government shall cause this agreement to be provisionally signed and chopped, whereupon the Syndicate shall take all such steps as may be necessary to obtain the Official sanction, and approval, thereto of the Central government of China at Peking, and upon such sanction and approval being obtained the Kwangtung government shall ratify this agreement and immediately thereupon the Syndicate shall deposit with the Kwangtung government the sum of one hundred thousand dollars Hongkong currency.

3. Within a period of nine months from the ratification aforesaid of this agreement the Syndicate shall, in the event of the said boring, examination, and survey of the grounds in the districts aforesaid appearing to the Syndicate to justify the Syndicate so doing, float a Company to be called "The Kwangtung Collieries, Limited" with a nominal capital of ten million dollars for the purpose of working coal mines in the said districts, and of dealing with the coal thereby procured, and shall transfer to such Company all rights and benefits and liabilities of the Syndicate under this agreement.

4. In the event of no such Company being floated by the Syndicate within the said period of nine months the Kwangtung government shall be entitled to retain the said sum of one hundred thousand dollars, and this agreement shall thereupon terminate; but in the event of such Company being floated a further sum of nine hundred thousand dollars (making with the said sum of one hundred thousand dollars a sum of altogether one million dollars) shall be deposited within the said period of nine months by that Company with the Kwangtung government, as security for the due carrying out by the Company of its objects as set out in the memorandum and articles of association.

5. The said sum of one million dollars, when so deposited in pursuance of clause 4 hereof, shall bear interest at the rate of six per cent per annum, which interest the Company shall be entitled to deduct from the dividends payable to the Kwangtung government or its nominees in pursuance of the provisions of clause 8 hereof. There shall be further deducted from the dividends so payable to the Kwangtung government or its nominees four per cent per annum on the said sum of one million dollars for the purpose of forming an amortization or sinking fund which shall be exchanged in sums of not less than ten thousand dollars for the "B" shares referred to

in clause 8 hereof until the whole of the said sum of one million dollars shall be so received by the Company. If no dividend is payable the Kwangtung government will not pay any interest on the said sum of one million dollars. If the dividend payable is not sufficient to pay the interest of the said sum of one million dollars, the Kwangtung government will not make up the deficit. The deduction from the dividend for forming the amortization or sinking fund is similarly calculated. If the Company goes into liquidation the deposited money shall be returned by the Kwangtung government and this agreement will determine.

6. The said capital of the Company of ten million dollars (fixed as the nominal capital of the Company to be floated as aforesaid) shall be divided into one million shares of ten dollars each, half of which shall be classed as "A" shares and shall be allotted by the directors of the Company who are of British Nationality in such manner as they may decide, but in pursuance of an agreement previously to be entered into with the Syndicate the other half of such shares shall be classed as "B" shares and shall be considered as fully paid up shares and shall be allotted by the Directors of the Company who are of Chinese Nationality in such manner as they may decide (subject to the provisions of clause 8 hereof).

7. The articles of association of the said Company to be floated as aforesaid shall provide that, out of the profits of the Company, there shall be first paid all working expenses, a royalty not exceeding one dollar per ton of all coal extracted and dealt with, all reasonable expenses to staff, sums properly payable to the Kwangtung government, and, interest at the rate of eight per cent per annum on the Capital represented by the "A" shares to the holders thereof; and the remainder of the said profits as shall be declared available for dividend shall be paid by way of dividend to holders of "A" and "B" shares equally.

8. Upon the incorporation of the Company to be floated as aforesaid the Company shall make the following allotment of shares, namely:

(a) Fully paid "B" shares to the nominal value of one million dollars, which shall be held by the Company in trust for the Kwangtung government, the dividend on which shall (inter alia) form the amortization or sinking fund referred to in clause 5 hereof. As and when sums of not less than ten thousand dollars are available in the said amortization or sinking fund the said fully paid "B" shares to an equivalent value shall be transferred to the Kwangtung government.

(b) Fully paid "B" shares to the nominal value of five hundred

thousand dollars to Trustees to be nominated by the Kwangtung government for the benefit of the poor people of the Province of Kwangtung.

(e) Fully paid "B" shares to the nominal value of five hundred thousand dollars to Trustees to be nominated by the Kwangtung government for educational purposes in the Province of Kwangtung.

In consideration of the said allotments as aforesaid the government will cause to be executed all such documents as may be necessary for the purposes of definitely granting to such Company the right for a period of ninety years from the date of such incorporation, to bore, dig, extract, transport, export, and sell, or otherwise utilize, all or any portion of the coal extracted from all or any of the areas mentioned in clause 13 hereof except the areas conceded to other Companies and worked on a commercial basis as provided in clause 18 hereof.

9. The Company shall pay the Kwangtung government only such duties as are for the time being imposed upon the Kailan Mining Administration.

10. At the expiration of the said period of ninety years the same to be extended, or continued, upon such terms and conditions as may be mutually agreed upon between the government and the company so to be incorporated as aforesaid.

11. From the date of the ratification of this agreement and during the said period of ninety years, and extended period (if any), the Kwangtung government shall use its best endeavors to protect the persons employed by the said Company and their rights for property and the rights of property of the said Company, in the mines, machinery, buildings, plant and other goods, effects for property to which the said persons and the said Company may be entitled to for the time being.

12. The articles of association of the Company to be floated as aforesaid shall further contain provisions of the following effect:

1. That the board of Directors of such Company shall consist of seven persons, three of whom shall be elected by the holders of "A" shares and shall be of European nationality, and three of whom shall be elected by the holders of "B" shares and shall be of Chinese nationality. The remaining Directory shall be of British nationality, and shall be elected by the other six Directors.
2. That the staff of the said Company shall consist of a European Manager, and of such European Engineers or Supervisors as may be deemed necessary by the Company and shall also

consist of two Secretaries, one of whom shall be of British or other European nationality, and the other of Chinese nationality.

3. That the miners and unskilled labourers shall all be of Chinese nationality, and, so far as possible, be natives of the districts in which they are employed.
4. That the existing laws and regulations of China with regard to mining shall be followed.

13. Immediately upon the payment of the said sum of one hundred thousand dollars referred to in clause 2 hereof the Company shall have the right to demarcate within a period of nine months such areas in the districts set forth in clause 1 hereof as areas in which the Company desires to carry on mining operations, and upon the payment by the Company to the Kwangtung government of the sum of nine hundred thousand dollars referred to in clause 4 hereof the said period of nine months shall be extended for a further period of six months (making a period of fifteen months in all). The Company shall from time to time during the said period notify to the Director of Mining in Canton or such other person as the Kwangtung government may designate their or its desire therefor, and he shall cause such areas to be registered in the name of the Company in parcels of land (whether separate or adjoining) each not exceeding ten square Li.

14. The Company shall not deliberately destroy or damage any cultivated lands, graves, or tombs, belonging to individuals, and in the event of any accidental destructions thereof, or damage thereto, the said Company shall, at its own expense, repair such damage or pay the individual sustaining the same reasonable compensation therefor.

15. The said Company when incorporated shall, for the purpose of its business, be entitled to use any waterways, wharves, ports, railways, and other means of transport or storage now existing in the Kwangtung Province, and also to construct, manage, superintend and work any other roads, railways, waterways and buildings as may be deemed advisable for the purpose of the business of the said Company, or to improve those now existing but shall pay reasonable remuneration or compensation to any individuals or individual affected, or prejudiced, by such use or construction.

16. In the event of there being in existence unworked coal mines within the districts mentioned in clause 1 hereof, the Company shall be entitled to work the same in all respects as if such mine had been discovered by the Syndicate or the said Company.

17. Any concessions or mining rights within the said districts already granted by the Kwangtung government which have not yet been worked on a Commercial basis or exercised, shall be revoked by the Kwangtung government; and all such concessions or mining rights as have been worked on a Commercial basis, or exercised, may be acquired by the said Company on payment to the proprietors thereof of such sums as they may agree to accept; and the Kwangtung government will render all such assistance as it is able to render the said Company to acquire such concessions or mining rights at a reasonable price.

18. The coal mines for which mining rights have been granted and on which work has been commenced by other companies are as follows:

NAMES OF COAL MINES	DISTRICTS	AREA	
Tai Tong Shan.....	Nan Hoi	576.55	Mao
Joung Shan.....	"	8.071	Sq. Li
Cheung Kong	Pun U	540	Mao
Tai Woh Ling.....	Fa Yuen	1100	"
Kow Chun Woo.....	"	270	"
Wank Tong Ling.....	"	342.45	"
Kow Woo Tseung, Tai Tat Sha Kwut.	"	351	"
Koon Tsaun Tin Sze Ling.....	Yue Yuen	573	"
Junk Ngam Chung.....	"	272.57	"
Lu Tseung Pay Tse Ling.....	"	364.34	"
Koon Tseing, Kit Tsze Tun.....	"	8494	"
Po On Shan.....	Lin Yuen		Nil.
Lin Tong Tseun.....	"	200	Mao
See Tsze Kong.....	"		Nil.
Ki Tsze Kurk.....	"	502	Mao
Pak Moon Heung Lo Fo Tung.....	"	972	"
Bap Shak Par.....	Kook Kong	808	"
Lap Shak How Shan.....	"	one	Sq. Li
Ling Chai Tow.....	"	87.5	Mao
Hap Chai Tow.....	"	18.4	"
Tong Chung Ling.....	"	547.73	"
Lo Tong Shan.....	"	one	Sq. Li
Tung Sui Har Sun Shan.....	"	829.141	Mao
Tin Lor Ling.....	"	98.583	"
Tung Sui Moi Shan Sui Chong.....	"	540	"
Kong Ying Ling.....	"	800	"
Ngam Pin Ling.....	"	399.8	"
Cheung Chung Lin.....	"	366.66	"

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NAMES OF COAL MINES	DISTRICTS	AREA	
Lo Tong Ling.....	"	one	Sq. Li
Tung Sui Mat Shan Aui Ling.....	"	470	"
Tui Mun Ling Kwai Tow Shan.....	"	270	"
Tong Cheung Ling.....	"	one	Sq. Li &
		7.7	Mao
Poon Ying Ling.....	Lok Cheung	325	"
Tin Tong Lin.....	"		Nil.
To Chu Ling.....	"	894.26	Mao
Ting Taze Pouy.....	"	3906	"
Tong Ngam Lee Shan.....	"	154.16	"
Cham Mok Tow.....	Ying Tak	540	"
Kai Ting Po.....	Fa Yuen	one	Sq. Li &
		492.15	Mao
Koon Chun.....	Yue Yuen	314.533	"
Tai Wuk Ngow.....	Pun U		Nil.
Kow Cheun Wo King Shiu King....	Fa Yuen	276.5	Mao
Kwoo Lin Taze.....	Lok Cheung	699.8505	"
Pak Kong Ling.....	Koon Kong	471	"
To Chong.....	Lok Cheung	4875	"
Chan Mok Ling Kow Ngam Tung....	Yue Yuen	840.55	"
Chai Kurk Cheun Nam Ling Tow....	"	536.21	"
Ling Wan Shan.....	Ko Ming	725	"
Woo Shak Tu.....	"	23.652	"
Tung Kok Shan.....	"	103.075	"

19. The coal mines which have been granted to other companies but which have not yet been worked, are as follows:

NAMES OF COAL MINES	DISTRICTS	AREA	
Lung Hang Ling.....	Fa Yuen	727.4	Mao
See Mow Wor.....	Lin Yuen	265.8	"
Sai Ling Pouy.....	Lok Cheung	342.891	"
Cheng Fung Ling.....	Lin Yuen	Same section as	
		Ki Shan Kurk.	
Shak Pay Toi For Tong.....	Tung Koon	7	Sq. Li &
		246.219	Mao
Tin Tow Show Kow Ling.....	Lok Cheung	373	"

20. In the event of civil war, strikes, boycotts, or other disturbances occurring in the Districts specified in clause 1 hereof or any part thereof during the period mentioned in clause 13 hereof which shall prevent or interfere with the Syndicate or the said Company carrying on its or their operations under this agreement, the said period mentioned in clause 13 shall as regards the Districts affected

be extended for the same length of time as the Syndicate or said Company shall be so prevented from carrying on or interfered with in the carrying on by them of the said operations as aforesaid.

21. This agreement is drawn up in English and Chinese. It is hereby expressly agreed that in case any difference shall appear or disputes arise as to the construction thereof the English copy shall prevail and be adopted.

22. In the event of any dispute or difference arising between the said Company and the Kwangtung government, or any of the individuals mentioned in paragraphs 14, 15, 16, 17, 19 and 20 hereof, in relation to this agreement, the same shall be submitted to the arbitration of two persons, one to be appointed by the Syndicate or by the said Company as the case may be, and the other by the Kwangtung government, and in case of such arbitrators not agreeing, to an umpire to be appointed by them who shall be of neither British nor Chinese nationality; the award of such arbitrators or the umpire shall be final and conclusive.

In witness whereof the said parties have hereunto set their hands and seals the day and the year first above written

Signed, sealed, chopped
and delivered by the above
mentioned His Excellency
the Military Governor of
Kwang-Tung.

Private
chop of
Mok Wing
Sun.

The official seal of
His Excellency the
Military Governor of
Kwang-Tung.

Signed, chopped, sealed
and delivered by the above
mentioned His Excellency
the Civil Governor of
Kwang-Tung.

Private
chop of
Cheung
Kan Fong.

The official seal of
His Excellency the
Civil Governor of
Kwang-Tung.

Signed, sealed and delivered
by the above named Louis
Cassel in the presence of:

HO SHING CHONG.

L. CASSEL, MAJOR. [L. S.]

Signed, sealed and delivered
by the above named Sum Pak
Ming in the presence of:

HO SHING CHONG.

[L. S.]

APPENDIX E

THE TWENTY-ONE DEMANDS

NOTE: The following brief elucidation of the demands was written

by Mr. Millard and was published as a brochure by "The Weekly Review" of Shanghai during the Washington conference.

Intelligent persons who are trying to follow the issues of the Conference on Limitation of Armaments and Far Eastern and Pacific Ocean Questions at Washington cannot have failed to notice the repetition by responsible Japanese statesmen, by the Japanese press, and by writers of other than Japanese nationality, of the assertion that the policy of the Japanese Government in no sense is threatening to China and is not conceived in a spirit of aggression upon the territorial integrity and political autonomy of China.

It is in acts of the Japanese Government that a true exposition of Japan's policy in China is to be found; and the most significant recent exposé of the real policy and objects of Japan *vis-à-vis* China is contained in the notorious "Twenty-One Demands" made by the Japanese Government to the Chinese Government in 1915.

The content of those demands is discovered in the text; but before giving the text of the demands in full a brief preliminary explanation will help in understanding their significance.

In 1914, a few weeks after the Great War began (disregarding efforts of the Chinese Government and other nations which would have neutralized the German leased port at Tsingtau, China, without embroiling China in the hostilities), Japanese military forces occupied against the protest of the Chinese Government the territory of the German leasehold on Kiaochou Bay, in Shantung Province, and also extended Japanese military occupation over almost the whole area of that Province outside of the German leasehold. That was the situation when on January 18, 1915, the Japanese minister at Peking, acting under instructions from his Government, privately presented to the Chinese Government a series of proposals in five groups and twenty-one articles.

As showing the obliquity of this action of the Japanese Government at a time when other principal Powers were completely preoccupied by the great war, certain clauses of then existing international agreements are cited. The preamble and body of the Anglo-Japanese Alliance (renewed in 1911) stated the following:

"A. The consolidation and maintenance of the general peace in the regions of Eastern Asia and India."

"B. The preservation of the common interests of all the Powers in China by insuring the independence and integrity of the Chinese Empire and the principle of equal opportunities for the commerce and industry of all nations in China."

"ARTICLE I. It is agreed that whenever, in the opinion of either Japan or Great Britain, any of the rights and interests referred to

in the preamble of this Agreement are in jeopardy, the two Governments will communicate with one another fully and frankly," etc.

"ARTICLE III. The High Contracting Parties agree that neither of them will, without consulting the other, enter into a separate agreement with another Power to the prejudice of the objects described in the preamble of this Agreement."

Under date November 30, 1908, the American and Japanese governments made an Agreement regarding their policies in China, commonly known as the Root-Takahira Agreement. After a reaffirmation of the integrity of China and the "open-door" principles, that Agreement states:

"5. Should any event occur threatening the status quo as above described or the principle of equal opportunity as above defined, it remains for the two Governments to communicate with each other in order to arrive at an understanding as to what measures they may consider it useful to take."

Nevertheless, the Japanese Government, without informing the British and American Governments, privately presented and pressed demands on the Chinese Government which constituted the gravest and most radical revision of the status quo of China that ever has been attempted: and it was due to the eventual exposure of the attempt by the press that Japan's action became known.

The text of the original demands which follows is the official translation into English published by the Chinese Government, and confirmed officially in various ways. As a device to make the true meaning to China, and the purposes of the Japanese Government plain to American comprehension, I have in parallel columns given, on the left the actual text of the demands, and on the right a paraphrase of the demands showing with approximate accuracy how those demands would have transposed had they been addressed to the American Government, instead of to China.

THE REAL DEMANDS

I

The Japanese Government and the Chinese Government, being desirous of maintaining the general peace in Eastern Asia and further strengthening the friendly relations and good neighborhood existing between

THE DEMANDS PARAPHRASED

I

The Japanese Government and the Government of the United States of America, being desirous of maintaining the general peace in the Pacific Ocean and further strengthening the friendly relations and good

the two nations, agree to the following articles:

ARTICLE 1. The Chinese Government engages to give full assent to all matters upon which the Japanese Government may hereafter agree with the German Government relating to the disposition of all rights, interests and concessions which Germany, by virtue of treaties or otherwise, possesses in relation to the Province of Shantung.

ARTICLE 2. The Chinese Government engages that within the Province of Shantung and along its coast no territory or island will be ceded or leased to a third Power under any pretext.

ARTICLE 3. The Chinese Government consents to Japan building a railway from Chefoo or Lungkow (in Shantung) to join the Kiaochou-Taingtau Railway.

ARTICLE 4. The Chinese Government engages in the interest of trade and for the residence of foreigners to open by herself as soon as possible certain important cities and towns in the Province of Shantung as commercial ports. What places shall be opened are to be jointly decided (by Japan and China) in a separate agreement.

II

The Japanese Government and the Chinese Government, since

neighborhood existing between the two nations agree to the following articles:

ARTICLE 1. The Government of the United States of America engages to give full assent to all matters upon which the Japanese Government may hereafter agree with the German Government relating to the disposition of all rights, interests and property which Germany, by virtue of treaties or otherwise, possesses in relation to the State of California.

ARTICLE 2. The American Government engages that within the State of California and along its coast no territory or island will be ceded or leased to a third Power under any pretext.

ARTICLE 3. The American Government consents to Japan building a railway from a port in California to be selected by Japan to join the Southern Pacific Railway System.

ARTICLE 4. The American Government engages in the interest of trade and for the residence of foreigners to open as soon as possible certain important cities and towns in the State of California as commercial ports. What places shall be opened are to be decided in a separate agreement.

II

The Japanese Government and the American Government, since

the Chinese Government has always acknowledged the special position enjoyed by Japan in South Manchuria and Eastern Inner Mongolia, agree to the following articles:

ARTICLE 1. The two Contracting Parties mutually agree that the term of the lease of Port Arthur and Dalny and the term of the lease of the South Manchurian Railway and the Antung-Mukden Railway shall be extended to the period of 99 years.

ARTICLE 2. Japanese subjects in South Manchuria and Eastern Inner Mongolia shall have the right to lease or own land required either for erecting suitable buildings for trade and manufacture or for farming.

ARTICLE 3. Japanese subjects shall be free to reside and travel in South Manchuria and Eastern Inner Mongolia and to engage in business of any kind whatsoever.

ARTICLE 4. The Chinese Government agrees to grant to Japanese subjects the right of opening the mines in South Manchuria and Eastern Inner Mongolia. As regards what mines shall be opened, they shall be decided upon jointly.

ARTICLE 5. The Chinese Government agrees that in respect of the (two) cases mentioned herein below the Japanese Government's consent *shall be first obtained* before action is taken:

the American Government has always acknowledged the special position enjoyed by Japan in Alaska and in the States of Oregon and Washington, agree to the following articles:

ARTICLE 1. The two Contracting Parties mutually agree that the term of the lease to Japan of the Port of Seattle and of the Alaskan and Northern Pacific Railways shall be extended to the period of 99 years.

ARTICLE 2. Japanese subjects in the States of Oregon and Washington, and Alaska, shall have the right to lease or own land required either for erecting suitable buildings for trade and manufacture or for farming.

ARTICLE 3. Japanese subjects shall be free to reside and travel in the States of Oregon and Washington, and Alaska, and to engage in business of any kind whatsoever.

ARTICLE 4. The American Government agrees to grant to Japanese subjects the right of exploitation of the mineral resources in the States of Oregon and Washington, and Alaska. As regards what resources shall be exploited, they shall be decided upon jointly.

ARTICLE 5. The American Government agrees that in respect of the (two) cases herein below mentioned the Japanese Government's consent shall be first obtained before action is taken:

(a) Whenever permission is granted to the subject of a third Power to build a railway, or to make a loan with a third Power for the purpose of building a railway in South Manchuria and Eastern Inner Mongolia.

(b) Whenever a loan is to be made with a third Power pledging the local taxes of South Manchuria and Eastern Inner Mongolia as security.

ARTICLE 6. The Chinese Government agrees that if the Chinese Government employs political, financial or military advisers or instructors in South Manchuria or Eastern Inner Mongolia, the Japanese Government shall first be consulted.

ARTICLE 7. The Chinese Government agrees that control and management of the Kirin-Changchun Railway shall be handed over to the Japanese Government for a term of 99 years dating from the signing of this Agreement.

III

The Japanese Government and the Chinese Government, seeing that Japanese financiers and the Hanyehping Company have close relations with each other at present and desiring that the common interests of the two nations shall be advanced, agree to the following articles:

ARTICLE 1. The two Contracting Parties mutually agree that when the opportune moment ar-

(a) Whenever permission is granted to the subject of a third Power to build a railway, or to make an international loan for the purpose of building a railway in the States of Oregon and Washington, and in Alaska.

(b) Whenever a loan is to be issued for international subscription pledging the local taxes of the States of Oregon and Washington, or Alaska, as security.

ARTICLE 6. The American Government agrees that if the American Government employs political, financial or military advisers or instructors in Oregon, Washington, or Alaska, the Japanese Government shall first be consulted.

ARTICLE 7. The American Government agrees that control and management of the Oregon Short Line Railway shall be handed over to the Japanese Government for a term of 99 years dating from the signing of this Agreement.

III

The Japanese Government and the American Government, seeing that Japanese financiers and the United States Steel Corporation and its associated industries have close relations with each other at present and desiring that the common interests of the two nations shall be advanced, agree to the following articles:

ARTICLE 1. The two Contracting Parties mutually agree that when the opportune moment

rives the Hanyehping Company shall be made a joint concern of the two nations, and they further agree that without *the previous consent of Japan*, China shall not by her own act dispose of the rights and property of whatsoever nature of the said Company nor cause the said Company to dispose freely of same.

ARTICLE 2. The Chinese Government agrees that all mines in the neighborhood of those owned by the Hanyehping Company shall not be permitted, without the consent of the said Company, to be worked by other persons outside of the said Company; and further agrees that if it is desired to carry out *any undertaking* which, it is apprehended, *may directly or indirectly affect the interests of the said Company*, the consent of the said Company shall first be obtained.

IV

The Japanese Government and the Chinese Government with the object of effectively preserving the territorial integrity of China agree to the following special Article:

The Chinese Government engages not to cede or to lease to a third Power any harbor or bay

arrives the United States Steel Corporation and its associated industries shall be made a joint concern of the two nations, and they further agree that without the previous consent of Japan and the American Government shall not by its own act dispose of the rights and property of whatsoever nature of the said Corporation and its associated industries, nor permit the said Corporation to dispose freely of same.

ARTICLE 2. The American Government agrees that all mines in the neighborhood of those owned by the United States Steel Corporation and its associated industries shall not be permitted, without the consent of the said Corporation, to be worked by other persons outside of the said Corporation; and the American Government further agrees that if it is desired to carry out any undertaking which, it is apprehended, may directly or indirectly affect the interests of the said Corporation, the consent of the said Corporation shall first be obtained.

IV

The Japanese Government and the American Government with the object of effectively preserving the territorial integrity of the United States agree to the following special Articles:

The American Government engages not to cede or to lease to a third Power any harbor or bay

or island along the coast of China.

or island along the coast of the United States.

V

ARTICLE 1. The Chinese Central Government *shall* employ influential Japanese as advisers in political, financial and military affairs.

ARTICLE 2. Japanese hospitals, churches and schools in the interior of China shall be granted the right of owning land.

ARTICLE 3. Inasmuch as the Japanese Government and the Chinese Government have had many cases of dispute between Japanese and Chinese to settle, cases which caused no little misunderstanding, it is for this reason necessary that the police departments of important places (in China) shall be jointly administered by Japanese and Chinese, or that the police departments of these places shall employ numerous Japanese so that they may at the same time help to plan for the improvement of the Chinese police service.

ARTICLE 4. China shall purchase from Japan a fixed amount of munitions of war (say 50 per cent or more) of what is needed by the Chinese Government, or there shall be established in China a Sino-Japanese jointly worked arsenal. Japanese technical experts are to be employed and Japanese material to be used.

V

ARTICLE 1. The American Government at Washington, D. C., *shall* employ influential Japanese as advisers in political, financial and military affairs.

ARTICLE 2. Japanese hospitals, churches and schools in the United States shall be granted the right of owning land.

ARTICLE 3. Inasmuch as the Japanese Government and the American Government have had many cases of dispute between Japanese and Americans (in America) to settle, cases which caused no little misunderstanding, it is for this reason necessary that the police departments of important cities in America shall be jointly administered by Japanese and Americans, or that the police departments of these places shall employ numerous Japanese so that they may help to plan for the improvement of the American police service.

ARTICLE 4. The United States shall purchase from Japan a fixed amount of munitions of war (say 50 per cent or more) of what is needed by the American Government, or there shall be established in America a Japan-American jointly worked arsenal. Japanese technical experts are to be employed and Japanese material used.

ARTICLE 5. China agrees to grant to Japan the right of constructing a railway connecting Wuchang with Kiukiang and Nanchang, and another line between Nanchang and Hangchow, and another line between Nanchang and Chaochou.

ARTICLE 6. If China needs foreign capital to work mines, build railways and construct harbor works (including dock-yards) in the Province of Fukien, *Japan shall be first consulted.*

ARTICLE 7. China agrees that Japanese subjects shall have the right of missionary propaganda in China.

ARTICLE 5. The American Government agrees to grant to Japan the right of constructing a railway connecting Chicago with St. Louis and Pittsburg, and another line between Pittsburg and Baltimore, and another line between Pittsburg and Charleston.

ARTICLE 6. If the United States needs foreign capital to develop mines, build railways and construct harbors (including dock-yards) in the States of Virginia and North Carolina, Japan shall be first consulted.

ARTICLE 7. The American Government agrees that Japanese subjects shall have the right of Buddhist propaganda in the United States.

Shantung Province has a population of about 30,000,000. The region has been an integral part of China continuously since before the dawn of authentic history, and is peopled to-day by the descendants of families who have lived there for thousands of years. The coast-line contains a number of the best harbors in China, and the railways in the province penetrate directly to the heart of China and the whole region drained by the Yellow River.

In respect to Group I of the demands, regarding Shantung Province, the comparison with California in the paraphrase requires one to take it as if, when the Great War commenced, German capital was invested in the Southern Pacific Railway and the entire harbor works of San Francisco, and these interests were to be transferred to Japan by the terms of the proposed agreement.

In the articles relating to the Hanyehping Company, the only important steel works in China, and controlling most of the yielding iron beds, it may be stated that these works are located at Hanyang, one of the three cities (Hankow, Wuchang and Hanyang) situated at the junction of the Han and Yangtze rivers, and which together compare to Chicago in America, with this difference; Hankow is 650 miles from the mouth of the Yangtze, and is

reached by ocean-going ships of considerable tonnage, is in fact a seaport in the center of China. Taking advantage of the disorders in connection with the rebellion of 1913, the Japanese Government erected permanent barracks at Hankow and still maintains there a military garrison, over the protests of China. The proposals regarding the Hanyehping Company should be read by Americans as if the Bank of Japan, or the Mitsui Company, owned a controlling interest in or a blanket mortgage over the property of the Steel Corporation, and had a garrison at Pittsburg to protect their interests.

The paraphrase of articles of Group V should be read as if Japanese in America were under "extra territorial" provisions, and were exempt from the processes of American law and courts, and could only be tried for offenses committed in America in Japanese courts or by Japanese consular officials. In this connection it is pertinent to remember that the Government of Japan denies to Chinese, and to Americans also, the right to own land in Japan; and limits Chinese immigration to Japan.

One of the outstanding inequities of these demands is the fact that they nowhere mention or allow anything in the way of a quid pro quo, or compensatory equivalent, to China for what she is asked to concede to Japan.

After the Chinese, contrary to the stern injunction of Japan, had informed the other Powers and the press of the presentation of the demands, diplomatic pressure and other factors induced Japan to moderate her demands, principally by the temporary abeyance of Group V. It is believed that British opposition to Article 5 of this Group, whereby Japan invaded the British "sphere" in the Yangtze, was influential in causing the Japanese Government to abate somewhat. The Chinese Government retarded the negotiations as long as it could, but was compelled to yield finally to an ultimatum delivered by Japan.

TEXT OF JAPAN'S ULTIMATUM TO CHINA

"The Imperial Japanese Government hereby again offer their advice and hope that the Chinese Government, upon this advice, will give a satisfactory reply by six o'clock p. m. on the ninth day of May. It is hereby declared that if no satisfactory reply is received before or at the specified time the Imperial Japanese Government will take such steps as they may deem necessary."

Peking, May 7, 1915.

EXTRACT FROM
TEXT OF CHINA'S STATEMENT RE THE ULTIMATUM

"It is plain that the Chinese Government proceeds to the fullest extent of possible concession in view of the strong national sentiment manifested by the people throughout the whole period of the negotiations. All that the Chinese Government strove to maintain was China's plenary sovereignty, the treaty rights of foreign Powers in China, and the principle of equal opportunity. . . . In considering the nature of the course they should take in reference to the ultimatum, the Chinese Government was influenced by its desire to preserve the Chinese people, as well as a large number of foreign residents in China, from unnecessary suffering, and also to prevent the interests of friendly Powers from being imperiled. For these reasons the Chinese Government was constrained to comply in full with the ultimatum, but, in complying, the Chinese Government disclaims any desire to associate itself with any revision which may thus be effected in the various conventions and agreements concluded between other Powers, with respect to the maintenance of territorial independence and integrity, the preservation of the status quo, and the principle of equal opportunity for the commerce and industry of all nations in China."

The monopolistic and exclusive advantages which Japan attempted to establish in China for its subjects, and a position of quasi-sovereignty over China, appear in the text of the Twenty-one Demands; and they did not escape the notice of other Governments.

TEXT OF NOTE OF THE AMERICAN GOVERNMENT

"In view of the circumstances of the negotiations which have taken place or which are now pending between the Government of China and the Government of Japan and the agreements which have been reached as a result thereof, the Government of the United States has the honor to notify the Government of the Chinese Republic that it cannot recognize any agreement or undertaking which had been entered into, or which may be entered into between the Governments of China and Japan impairing the treaty rights of the United States and its citizens in China, the political or territorial integrity of the Republic of China, or the international policy commonly known as the open-door policy.

"Dated May 16, 1915."

An identical Note was at the same time handed to the Japanese Government by the American embassy at Tokio.

APPENDIX F

STATEMENT OF THE POSITION OF THE AMERICAN GOVERNMENT REGARDING LOANS IN CHINA, MADE BY THE STATE DEPARTMENT JULY 29, 1918

China declared war against Germany very largely because of the action of the United States. Therefore this Government has felt a special interest in the desire of China so to equip herself as to be of more specific assistance in the war against the Central Powers.

Until the present time the engagements of the United States in preparing to exert effectively its strength in the European theatre of war has operated to prevent specific constructive steps to help China realize her desires. Recently, however, this Government felt that, because of the approach to Chinese territory of the scenes of disorder, a special effort should be made to place proper means at the disposal of China. Consequently a number of American bankers, who had been interested in the past in making loans to China and who had had experience in the Orient, were called to Washington and asked to become interested in the matter. The bankers responded very promptly and an agreement has been reached between them and the Department of State which has the following salient features:

First. The formation of a group of American bankers to make a loan or loans and to consist of representatives from different parts of the country.

Second. An assurance on the part of the bankers that they will cooperate with the Government and follow the policies outlined by the Department of State.

Third. Submission of the names of the bankers who will compose this group for approval by the Department of State.

Fourth. Submission of the terms and conditions of any loan or loans for approval of the Department of State.

Fifth. Assurances that, if the terms and conditions of the loan are accepted by this Government and by the Government to which the loan is made, in order to encourage and facilitate the free intercourse between American citizens and foreign States which is mu-

tually advantageous, the Government will be willing to aid in every way possible and to make prompt and vigorous representations and to take every possible step to insure the execution of equitable contracts made in good faith by its citizens in foreign lands.

It is hoped that the American group will be associated with bankers of Great Britain, Japan, and France. Negotiations are now in progress between the Government of the United States and those Governments which it is hoped will result in their coöperation and in the participation by the bankers of those countries in equal parts in any loan which may be made.

APPENDIX G

RUSSO-JAPANESE TREATY

The Russian Imperial Government and the Japanese Imperial Government, aiming to strengthen the firm friendship between them, established through the secret agreements of July 17-30, 1907, June 21-July 4, 1910, and June 25-July 8, 1912, have agreed to supplement the aforesaid secret agreements with the following articles:

ARTICLE 1

Both the high contracting parties recognize that the vital interests of one and the other of them require the safeguarding of China from the political domination of any third Power whatsoever, having hostile designs against Russia, or Japan: and therefore mutually obligate themselves, in the future at all times when circumstances demand, to enter into openhearted dealings, based on complete trust, in order to take the necessary measures with the object of preventing the possibility of occurrence of said state of affairs.

ARTICLE 2

In the event, in consequence of measures taken by mutual consent of Russia and Japan, on the basis of the preceding article, a declaration of war is made by any third Power contemplated by Article I of this agreement, against one of the contracting parties, the other party, at the first demand of its ally, must come to its aid. Each of the high contracting parties herewith covenants, in the event

such a condition arises, not to conclude peace with the common enemy without preliminary consent therefor from its ally.

ARTICLE 3

The conditions under which each of the high contracting parties will lend armed assistance to the other side, by virtue of the preceding article, as well as the means by which such assistance shall be accomplished, must be determined in common by the corresponding authorities of one and the other contracting parties.

ARTICLE 4

It is requisite to have in view that neither one nor the other of the high contracting parties must consider itself bound by Article 2 of this agreement to lend armed aid to its ally, unless it be given guarantees by its allies that the latter will give it assistance corresponding in character to the importance of the approaching conflict.

ARTICLE 5

The present agreement shall have force from the time of its execution, and shall continue to be in force until July 1-14 of the year 1921.

In the event the other of the high contracting parties does not deem it necessary twelve months prior to the end of said period, to declare its unwillingness to continue the present agreement in force, then the said agreement shall continue in force for a period of one year after the declaration of one of the contracting parties disclaiming the said agreement.

ARTICLE 6

The present agreement must remain profoundly secret except to both of the high contracting parties.

In witness whereof the persons invested with full power by both parties have signed and affixed their seals to the present agreement at Petrograd on June 20-July 3 of the year 1916, which corresponds in the Japanese calendar to the third day of the seventh month of the fifth year of the reign of Taisho.

SAZONOFF.
MOTONO.

APPENDIX H

INTER-POWER AGREEMENTS RELATING TO CHINA

Note: The following arrangement of documentary records of the conference, and the summarizing comments, are from "China and the Conference," by Dr. W. W. Willoughby, who was a technical adviser to the Chinese delegation at Washington.

The third of the Chinese Ten Points had declared as follows:

With a view to strengthening mutual confidence and maintaining peace in the Pacific and the Far East, the Powers agree not to conclude between themselves any treaty or agreement directly affecting China or the general peace in these regions without previously notifying China and giving to her an opportunity to participate.

This proposition was brought before the committee of the Whole at its fourteenth meeting, held December 8, by Dr. Koo, who called attention to the fact that, in the past, agreements relating to the Far East generally and to China in particular, had been made by the Powers between themselves without notification of China that such agreements were in contemplation, and, therefore, without giving to her an opportunity to participate therein should she desire to do so. Dr. Koo then continued:¹

¹The Chinese delegation submitted the following tentative list of inter-power agreements that had, in the past, been entered into with reference to China:

- 1 Franco-Japanese Agreement, June 10, 1907 (MacMurray 640).
- 2 Anglo-Japanese Treaty, July 13, 1911 (MacMurray 900).
- 3 Russo-Japanese Convention of July 30, 1907 (MacMurray 657).
- 4 Russo-Japanese Secret Convention of July 30, 1907 (text not available).
- 5 Russo-Japanese Convention of July 4, 1910 (MacMurray 803).
- 6 Russo-Japanese Secret Convention of July 4, 1910 (text not available).
- 7 Russo-Japanese Secret Convention of July 8, 1912 (text not available).
- 8 Russo-Japanese Convention of July 3, 1916 (MacMurray 1327).
- 9 Russo-Japanese Treaty of Alliance, of July 3, 1916 (MacMurray 1328).
- 10 American-Japanese Exchange of Notes of November 30, 1908 (Root-Takahira Agreement) (MacMurray 769).
- 11 American-Japanese Exchange of Notes of November 2, 1917 (Lansing-Ishii Agreement) (MacMurray 1394).
- 12 Anglo-French Agreement of January 15, 1896, Article IV (MacMurray 54).
- 13 Anglo-Russian Agreement, April 28, 1899 (MacMurray 204).
- 14 Anglo-German Agreement, September 2, 1898 (MacMurray 266).

These agreements, he said, fell roughly into two divisions, the one being in the nature of mutual engagements to abstain from certain action in special parts of China, the other being engagements for mutual assistance in support of the general interests of all foreign powers in China or of the special interests claimed by the parties to the agreement.

As to these treaties and agreements, Mr. Koo said he felt that they were all so well known to the members of the committee that the complete enumeration of them or specific illustrations would be unnecessary.

The first kind of agreements usually was in the nature of an engagement on the part of one contracting party not to seek any railway concessions in one part of China in return for a similar promise on the part of the other contracting parties not to seek railway concessions in another part of China.

As first it might seem as if a nation were within its rights in promising another to forego certain opportunities within a specific region. But any deeper examination of this matter would immediately show that there were a great many objections to such a method of arranging the action of one nation upon the territory of another. In the first place, it involved an incipient national monopoly or preference within the region affected, because the nation which had secured a promise of abstention from one power would then proceed with efforts to secure a similar promise from others. Thus by the making of only one agreement two nations would be backing a system of artificial limitation of economic activities.

The rights of China were involved both because she must wish that all the parts of her territory should be open on equal terms, or on such terms as she herself should determine, to foreign capitalists, merchants, and residents. As soon as such treaties as the above were made, without consultation with China, her territory was divided into distinct spheres for foreign enterprise. To this she could by no means be indifferent.

The other group of treaties dealt with the safeguarding and defending of territorial rights or special interests in the Far East, including or specially mentioning China.

These all had one or more of the following three features:

(1) A declaration that the contracting parties had a special interest in having order and a pacific state of things guaranteed in the regions of China adjacent to the territories where the contracting powers had rights of sovereignty, protection, or occupation, and an engagement to support each other for assuring peace and security in these regions; or

(2) A declaration to support the independence and integrity of China and the maintenance of the open door for foreign commerce and to aid each other for the defense of the contracting parties' special interests in said regions; or

(3) The recognition by one contracting power that, since propinquity creates special relations, the other contracting power had special interests in China.

It was clear that any one of the foregoing three features must be of vital interest to China. The assurance of peace and order in any part of Chinese territory was a matter of great concern to China herself. The maintenance of the independence and territorial integrity of China touched the supreme rights of China. As to the recognition of propinquity as creating special interests in China, it was equally obvious that such recognition could not be valid, because special interests on Chinese territory could not be created without the consent of China, and China had always contested the soundness of the doctrine of propinquity.

The effect of all such treaties and agreements had been to maintain in China conditions which intimately affected the rights, prospects, and liberty of action of China herself.

It appeared, therefore, that the Chinese Government had an equitable right to be consulted in all agreements which dealt with or pretended to deal with, the general situation in the Far East, including China. Even if such treaties were animated by an entirely friendly spirit toward China, yet their bearing was such that they might involve consequences which would result in limitations on Chinese freedom of action; even such treaties, therefore, should not be made without consultation with China.

It might, of course, be said that China, not being a party to such treaties, need in no way recognize them nor consider herself bound by any of their provisions. That was legally true. But the political effect produced by a group of such treaties, just as in the case of spheres of influence, tended so to modify the political and economic situation in China that no efforts on the part of the Chinese Government would succeed in preserving its liberty of action. Should recognition be given to the practice that China need not be consulted, the total results of a group of such cases must be examined. In that case it was plain that vital interests of China would be affected, and that the nature of activities and interests within China would be determined entirely by the action of outside powers. The Chinese Government would then find itself obliged to move along grooves laid down by others without having once had an opportunity of insisting upon her own life needs as seen by herself.

It must therefore be concluded that though an individual agreement might, on the face of it, concern only the action of outside powers, if that action related to China, the Chinese Government could not remain indifferent to it, because of the effect which the continued practice of making agreements of this kind would have upon the liberty of movement and the development of the Chinese Government and the nation itself.

Following upon this statement by Dr. Koo, there was an extended discussion in which the following objections were made to accepting, without qualification, the Chinese proposal.

Mr. Balfour thought that China could best be benefited, not by adopting the broad principle which her Delegation had proposed, but by dealing with her difficulties one by one, as the conference had been doing, for example, with regard to spheres of interest, post-offices, extraterritoriality and the like. "All that the Conference could do was to see that no undue limitations, no limitations which were not necessitated by the facts of the situation, were placed on China's sovereign independence, and to give all the help in its power toward the creation of a pure and vigorous administration." He also thought that the proposition put forward by Dr. Koo would, if accepted, involve a limitation of the treaty rights of the powers. For example, if made of general international application, it would prevent France and Belgium from entering into a defensive treaty of any kind without consulting Germany. All agreed that the powers had entered into treaties not only in regard to China but also as to other nations which reflected no credit on the parties to them, but the correction of this evil should be sought in publicity. Most of the nations represented at the conference were members of the League of Nations and were bound by Article XVIII of its covenant to publish their agreements. The United States, while not a member, was virtually obligated by its Constitution to make its treaties public. He would ask the Chinese delegation, therefore, not to press its proposition in the form in which it had been presented.

Secretary Hughes spoke somewhat along the same lines, stressing the four Root Resolutions that had been adopted by the conference, and especially the one that provided that no advantage should be taken of China because of her present domestic difficulties, but that each power should be left free to make agreements necessary for the preservation of its own proper interests, and that there should be no secret engagements.

Sir Auckland Geddes suggested that to the four Root Resolutions

there might be added a fifth according to which the Powers would agree

To enter into no treaty, agreement, arrangement, or understanding, either with one another or individually or collectively, with any other Power or Powers which would infringe or impair the principles which they have herein declared.

Mr. Hanihara, speaking for the Japanese delegation, expressed the view that this proposed resolution was virtually included within the scope of the first of the Root Resolutions, and that to adopt it would have the effect of weakening that resolution; also that, if such proposed resolutions were adopted, China herself should be brought within its application.

As a result of these observations Sir Auckland's draft resolution was amended so as to read:

That the powers attending this conference, hereinafter mentioned, to wit, the United States of America, Belgium, the British Empire, China, France, Italy, Japan, the Netherlands, and Portugal declare that it is their intention not to enter into any treaty, agreement, arrangement, or understanding, either with one another, or individually or collectively with any power or powers, which would infringe or impair the principles which have been declared by the resolution adopted November 21 by this committee.

In this form the resolution was unanimously approved by the committee and reported to the conference which adopted it at its fourth plenary session, held December 10.

As it appears as Article II of the Nine-Power Treaty Relating to Principles and Policies to be Followed in Matters Concerning China, it reads:

The Contracting Powers agree not to enter into any treaty, agreement, arrangement, or understanding, either with one another, or individually or collectively, with any Power or Powers, which would infringe or impair the principles stated in Article I [the four Root Resolutions].

APPENDIX I

STATEMENTS IN THE WASHINGTON CONFERENCE REGARDING SIBERIA

JAPANESE STATEMENT

The statement by Baron Shidehara on behalf of Japan was as follows:

The military expedition of Japan to Siberia was originally undertaken in common accord and in cooperation with the United States in 1918. It was primarily intended to render assistance to the Czecho-Slovak troops who, in their homeward journey across Siberia from European Russia, found themselves in grave and pressing danger at the hands of hostile forces under German command. The Japanese and American expeditionary forces together with other Allied troops fought their way from Vladivostok far into the region of the Amur and the trans-Baikal provinces to protect the railway lines which afforded the sole means of transportation of the Czecho-Slovak troops from the interior of Siberia to the port of Vladivostok. Difficulties which the Allied forces had to encounter in their operations in the severe cold winter of Siberia were immense.

In January, 1920, the United States decided to terminate its military undertaking in Siberia, and ordered the withdrawal of its forces. For some time thereafter Japanese troops continued alone to carry out the duty of guarding several points along the trans-siberian railways in fulfillment of Interallied arrangements and of affording facilities to the returning Czecho-Slovaks.

The last column of Czecho-Slovak troops safely embarked from Vladivostok in September, 1920. Ever since then Japan has been looking forward to an early moment for the withdrawal of her troops from Siberia. The maintenance of such troops in a foreign land is for her a costly and thankless undertaking, and she will be only too happy to be relieved of such responsibility. In fact, the evacuation of the trans-Baikal and the Amur provinces was already completed in 1920. The only region which now remains to be evacuated is a southern portion of the Maritime province around Vladivostok and Nikol'sk.

It will be appreciated that for Japan the question of the withdrawal of troops from Siberia is not quite as simple as it was for other Allied Powers. In the first place, there is a considerable number of Japanese residents who had lawfully and under guarantees of treaty established themselves in Siberia long before the Bolshevik eruption, and were there entirely welcomed. In 1917, prior to the joint American-Japanese military enterprise, the number of such residents was already no less than 9717. In the actual situation prevailing there, those Japanese residents can hardly be expected to look for the protection of their lives and property to any other authorities than Japanese troops. Whatever districts those troops have evacuated in the past have fallen into disorder, and practically all Japanese residents have had precipitately to withdraw, to seek for their personal safety. In so withdrawing, they

have been obliged to leave behind large portions of their property, abandoned and unprotected, and their homes and places of business have been destroyed. While the hardships and losses thus caused the Japanese in the trans-Baikal and the Amur provinces have been serious enough, more extensive damages are likely to follow from the evacuation of Vladivostok in which a larger number of Japanese have always been resident and a greater amount of Japanese capital invested.

There is another difficulty by which Japan is faced in proceeding to the recall of her troops from the Maritime province. Due to geographical propinquity, the general situation in the districts around Vladivostok and Nikolsk is bound to affect the security of the Korean frontier. In particular, it is known that these districts have long been the base of Korean conspiracies against Japan. Those hostile Koreans, joining hands with lawless elements in Russia, attempted in 1920 to invade Korea through the Chinese territory of Chientao. They set fire to the Japanese consulate at Hunchun, and committed indiscriminate acts of murder and pillage. At the present time they are under the effective control of Japanese troops stationed in the Maritime province, but they will no doubt renew the attempt to penetrate into Korea at the first favorable opportunity that may present itself.

Having regard to those considerations, the Japanese Government have felt bound to exercise precaution in carrying out the contemplated evacuation of the Maritime province. Should they take hasty action without adequate provision for the future they would be delinquent in their duty of affording protection to a large number of their nationals resident in the districts in question and of maintaining order and security in Korea.

It should be made clear that no part of the Maritime province is under Japan's military occupation. Japanese troops are still stationed in the southern portion of that province, but they have not set up any civil or military administration to displace local authorities. Their activity is confined to measures of self-protection against the menace to their own safety and to the safety of their country and nationals. They are not in occupation of those districts any more than American or other Allied troops could be said to have been in occupation of the places in which they were formerly stationed.

The Japanese Government are anxious to see an orderly and stable authority speedily reëstablished in the Far Eastern possessions of Russia. It was in this spirit that they manifested a keen interest in the patriotic but ill-fated struggle of Admiral Kolchak.

They have shown readiness to lend their good offices for prompting the reconciliation of various political groups in Eastern Siberia. But they have carefully refrained from supporting one faction against another. It will be recalled, for instance, that they withheld all assistance from General Rozanow against the revolutionary movements which led to his overthrow in January, 1920. They maintained an attitude of strict neutrality, and refused to interfere in these movements, which it would have been quite easy for them to suppress if they had so desired.

In relation to this policy of non-intervention, it may be useful to refer briefly to the past relations between the Japanese authorities and Ataman Semenoff, which seem to have been a source of popular misgiving and speculation. It will be remembered that the growing rapprochement between the Germans and the Bolshevik Government in Russia in the early part of 1918 naturally gave rise to apprehensions in the Allied countries that a considerable quantity of munitions supplied by those countries and stored in Vladivostok might be removed by the Bolsheviks to European Russia for the use of the Germans. Ataman Semenoff was then in Siberia and was organizing a movement to check such Bolshevik activities and to preserve order and stability in that region. It was in this situation that Japan, as well as some of the Allies, began to give support to the Cossack chief. After a few months, such support by the other powers was discontinued. But the Japanese were reluctant to abandon their friend, whose efforts in the Allied cause they had originally encouraged; and they maintained for some time their connection with Ataman Semenoff. They had, however, no intention whatever of interfering in the domestic affairs of Russia, and when it was found that the assistance rendered to the ataman was likely to complicate the internal situation in Siberia, they terminated all relations with him, and no support of any kind has since been extended to him by the Japanese authorities.

The Japanese Government are now seriously considering plans which would justify them in carrying out their decision of the complete withdrawal of Japanese troops from the Maritime province, with reasonable precaution for the security of Japanese residents and of the Korean frontier regions. It is for this purpose that negotiations were opened some time ago at Dairen between the Japanese representatives and the agents of the Chita Government.

Those negotiations at Dairen are in no way intended to secure for Japan any right or advantage of an exclusive nature. They have been solely actuated by a desire to adjust some of the more

pressing questions with which Japan is confronted in relation to Siberia. They have essentially in view the conclusion of provisional commercial arrangements, the removal of the existing menace to the security of Japan and to the lives and property of Japanese residents in Eastern Siberia, the provision of guarantees for the freedom of lawful undertakings in that region, and the prohibition of Bolshevik propaganda over the Siberian border. Should adequate provisions be arranged on the line indicated the Japanese Government will at once proceed to the complete withdrawal of Japanese troops from the Maritime province.

The occupation of certain points in the Russian province of Sakhalin is wholly different, both in nature and in origin, from the stationing of troops in the Maritime province. History affords few instances similar to the incident of 1920 at Nikolaievsk, where more than seven hundred Japanese, including women and children, as well as the duly recognized Japanese consul and his family and his official staff, were cruelly tortured and massacred. No nation worthy of respect will possibly remain forbearing under such a strain of provocation. Nor was it possible for the Japanese Government to disregard the just popular indignation aroused in Japan by the incident. Under the actual condition of things, Japan found no alternative but to occupy, as a measure of reprisal, certain points in the Russian province of Sakhalin in which the outrage was committed, pending the establishment in Russia of a responsible authority with whom she can communicate in order to obtain due satisfaction.

Nothing is further from the thought of the Japanese Government than to take advantage of the present helpless conditions of Russia for prosecuting selfish designs. Japan recalls with deep gratitude and appreciation the brilliant rôle which Russia played in the interest of civilization during the earlier stage of the Great War. The Japanese people have shown and will continue to show every sympathetic interest in the efforts of patriotic Russians aspiring to the unity and rehabilitation of their country. The military occupation of the Russian province of Sakhalin is only a temporary measure, and will naturally come to an end as soon as a satisfactory settlement of the question shall have been arranged with an orderly Russian Government.

In conclusion, the Japanese delegation is authorized to declare that it is the fixed and settled policy of Japan to respect the territorial integrity of Russia, and to observe the principle of non-intervention in the internal affairs of that country, as well as the prin-

eiple of equal opportunity for the commerce and industry of all nations in every part of the Russian possessions.

STATEMENT OF THE UNITED STATES

The reply on behalf of the American Government, by the secretary of state, was as follows:

The American delegation has heard the statement by Baron Shidehara and has taken note of the assurances given on behalf of the Japanese Government with respect to the withdrawal of Japanese troops from the Maritime province of Siberia and from the province of Sakhalin. The American delegation has also noted the assurance of Japan by her authorized spokesman that it is her fixed and settled policy to respect the territorial integrity of Russia, and to observe the principle of non-intervention in the internal affairs of that country, as well as the principle of equal opportunity for the commerce and industry of all nations in every part of the Russian possessions.

These assurances are taken to mean that Japan does not seek, through her military operations in Siberia, to impair the rights of the Russian people in any respect, or to obtain any unfair commercial advantages, or to absorb for her own use the Siberian fisheries, or to set up an exclusive exploitation either of the resources of Sakhalin or of the Maritime province.

As Baron Shidehara pointed out, the military expedition of Japan to Siberia was originally undertaken in common accord and in coöperation with the United States. It will be recalled that public assurances were given at the outset by both Governments of a firm intention to respect the territorial integrity of Russia and to abstain from all interference in Russian internal politics. In view of the reference by Baron Shidehara to the participation of the American Government in the expedition of 1918, I should like to place upon our records for transmission to the conference the purposes which were then clearly stated by both Governments.

The American Government set forth its aims and policies publicly in July, 1918. The purposes of the expedition were said to be, first, to help the Czecho-Slovaks consolidate their forces; second, to steady any efforts at self-government or self-defense in which the Russians themselves might be willing to accept assistance; and, third, to guard the military stores at Vladivostok.

The American Government opposed the idea of a military

intervention, but regarded military action as admissible at the time solely for the purpose of helping the Czecho-Slovaks consolidate their forces and get into successful coöperation with their Slavic kinsmen, and to steady any efforts at self-government or self-defense in which the Russians themselves might be willing to accept assistance. It was stated that the American Government proposed to ask all associated in this course of action to unite in assuring the people of Russia in the most public and solemn manner that none of the Governments uniting in action either in Siberia or in northern Russia contemplated any interference of any kind with the political sovereignty of Russia, any intervention in her internal affairs, or any impairment of her territorial integrity either now or thereafter, but that each of the Associated Powers had the single object of affording such aid as should be acceptable, and only such aid as should be acceptable, to the Russian people in their endeavor to regain control of their own affairs, their own territory, and their own destiny.

What I have just stated is found in the public statement of the American Government at that time.

The Japanese Government, with the same purpose, set forth its position in a statement published by the Japanese Government on August 2, 1918, in which it was said:

"The Japanese Government, being anxious to fall in with the desires of the American Government and also to act in harmony with the Allies in this expedition, have decided to proceed at once to despatch suitable forces for the proposed mission. A certain number of these troops will be sent forthwith to Vladivostok. In adopting this course, the Japanese Government remain unshaken in their constant desire to promote relations of enduring friendship with Russia and the Russian people, and reaffirm their avowed policy of respecting the territorial integrity of Russia and of abstaining from all interference in her internal politics. They further declare that, upon the realization of the project above indicated, they will immediately withdraw all Japanese troops from Russian territory and will leave wholly unimpaired the sovereignty of Russia in all its phases, whether political or military."

The United States of America withdrew its troops from Siberia in the spring of 1920, because it considered that the original purposes of the expedition had either been accomplished or would not longer be subserved by continued military activity in Siberia. The American Government then ceased to be a party to the expedition, but it remained a close observer of events in Eastern Siberia and

has had an extended diplomatic correspondence upon this subject with the Government of Japan.

It must be frankly avowed that this correspondence has not always disclosed an identity of views between the two Governments. The United States has not been unmindful of the direct exposure of Japan to Bolshevism in Siberia and the special problems which the conditions existing there have created for the Japanese Government, but it has been strongly disposed to the belief that the public assurances given by the two Governments at the inception of the joint expedition nevertheless required the complete withdrawal of Japanese troops from all Russian territory—if not immediately after the departure of the Czecho-Slovak troops, then within a reasonable time.

As to the occupation of Sakhalin in reprisal for the massacre of the Japanese at Nikolaievsk, the United States, not unimpressed by the serious character of that catastrophe, but having in mind the conditions accepted by both Governments at the outset of the joint expedition, of which the Nikolaievsk massacres must be considered an incident, it has regretted that Japan should deem necessary the occupation of Russian territory as a means of assuring a suitable adjustment with a future Russian Government.

The general position of the American Government was set forth in a communication to Japan of May 31, 1921. In that communication appears the following statement:

"The Government of the United States would be untrue to the spirit of coöperation which led it, in the summer of 1918, upon an understanding with the Government of Japan, to despatch troops to Siberia, if it neglected to point out that, in its view, continued occupation of the strategic centers in Eastern Siberia—involving the indefinite possession of the port of Vladivostok, the stationing of troops at Habarovsk, Nikolaievsk, De Castries, Mago, Sophiesk, and other important points, the seizure of the Russian portion of Sakhalin, and the establishment of a civil administration, which inevitably lends itself to misconception and antagonism—tends rather to increase than to allay the unrest and disorder in that region.

"The military occupation"—I am still reading from the note of May 31, 1921—"The military occupation in reprisal for the Nikolaievsk affair is not fundamentally a question of the validity of procedure under the recognized rules of international law."

The note goes on to say that "the issue presented is that of the scrupulous fulfilment of the assurances given to the Russian

people, which were a matter of frank exchanges and of apparently complete understanding between the Government of the United States and of Japan. These assurances were intended by the Government of the United States to convey to the people of Russia a promise on the part of the two Governments not to use the joint expedition, or any incidents which might arise out of it, as an occasion to occupy territory, even temporarily, or to assume any military or administrative control over the people of Siberia."

Further, in the same note, the American Government stated its position as follows:

"In view of its conviction that the course followed by the Government of Japan brings into question the very definite understanding concluded at the time troops were sent to Siberia, the Government of the United States must in candor explain its position and say to the Japanese Government that the Government of the United States can neither now nor hereafter recognize as valid any claims or titles arising out of the present occupation and control, and that it cannot acquiesce in any action taken by the Government of Japan which might impair existing treaty rights or the political or territorial integrity of Russia.

"The Government of Japan will appreciate that, in expressing its views, the Government of the United States has no desire to impute to the Government of Japan motives or purposes other than those which have heretofore been so frankly avowed. The purpose of this Government is to inform the Japanese Government of its own conviction that, in the present time of disorder in Russia, it is more than ever the duty of those who look forward to the tranquilization of the Russian people, and a restoration of normal conditions among them, to avoid all action which might keep alive their antagonism and distrust toward outside political agencies. Now, especially, it is incumbent upon the friends of Russia to hold aloof from the domestic contentions of the Russian people, to be scrupulous to avoid inflicting what might appear to them a vicarious penalty for sporadic acts of lawlessness, and, above all, to abstain from even the temporary and conditional impairment by any foreign power of the territorial status which, for them as for other peoples, is a matter of deep and sensitive national feeling transcending perhaps even the issues at stake among themselves."

To that American note the Japanese Government replied in July, 1921, setting forth in substance what Baron Shidehara has now stated to this committee, pointing out the conditions under which Japan had taken the action to which reference was made, and giving the assurances, which have here been reiterated, with

respect to its intention and policy.

While the discussion of these matters has been attended with the friendliest feeling, it has naturally been the constant and earnest hope of the American Government—and of Japan as well, I am sure—that this occasion for divergence of views between the two Governments might be removed with the least possible delay. It has been with a feeling of special gratification, therefore, that the American delegation has listened to the assurances given by their Japanese colleague, and it is with the greatest friendliness that they reiterate the hope that Japan will find it possible to carry out within the near future her expressed intention of terminating finally the Siberian expedition and of restoring Sakhalin to the Russian people.

FRENCH STATEMENT

On behalf of the French Government M. Sarraut said he gave his full and unreserved adherence to this resolution. In giving this unreserved adherence, he liked to remember that France was the oldest ally, perhaps, of Russia, and in this respect it was with a particular feeling of gratification that he would state that he had listened with great pleasure to the exchange of views that had just taken place before the committee between the representatives of the United States and Japan. The French Government would hear with the same feelings the formal assurance given by Baron Shidehara of the intention of the Japanese Government concerning Siberia; of Japan's desire to withdraw her troops from Russia as soon as possible; of its firm intention not to interfere in the domestic affairs of Russia; and of its firm purpose to respect the integrity of Russia.

France had full trust in Japan, who had always proved a loyal and trustworthy friend. It was quite certain that this assurance would be carried out. France accepted this with all the more pleasure because it was exactly the program which the French Government had adopted in 1918 and which led them to interfere in Siberia under the same conditions as those set forth so exactly by the secretary of state of the United States. At this point he could not fail to restate quite clearly France's intention, like that of her Allies, to respect the integrity of Russia, and to have the integrity of Russia respected, and not to interfere in her internal policy.

France remained faithful to the friendship of Russia, which she could not forget. She entertained feelings of gratitude to the Russian people, as she did to her other Allies. Russia had been

her friend of the first hour, and she was loyal; she had stuck to her word until the Russian Government was betrayed in the way with which those present were familiar. France also remained faithful to the hope that the day would come when through the channel of a normal and regular government great Russia would be able to go ahead and fulfil her destiny. Then it would be good for her to find unimpaired the patrimony that had been kept for her by the honesty and loyalty of her allies. It was with this feeling that the French delegation with great pleasure concurred in the adoption of the present resolution [that the American and Japanese statements be spread upon the minutes of the conference].

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