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**CHINA, THE UNITED STATES  
AND THE WAR**

*By*

**KENNETH SCOTT LATOURETTE,**

*Professor of history, Denison University*

**CHINO-JAPANESE NEGOTIATIONS,  
1915-1918  
SHANTUNG AND ITS STATUS**

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# CHINA, THE UNITED STATES AND THE WAR

BY KENNETH SCOTT LATOURETTE,  
*Professor of history, Denison University.*

For the past four and a half years the eyes of America have been directed almost exclusively to Europe. We have been so engrossed with the progress of events across the Atlantic that we have had but little leisure to attend to foreign affairs elsewhere. Sooner or later, however, we must awaken to the fact that Europe is not the only storm center and that in other quarters events have been transpiring which may eventually affect us as profoundly as have the once-ignored conflicts in the Balkans. Particularly is this true of China, for here is a country whose fate must be of interest to the entire globe and whose problems tend to involve deeply every nation of importance. Because of the nature of our past relations with her, the United States is peculiarly interested in the future of China and it is highly important that Americans familiarize themselves with her history, her current problems, and our traditional policies toward her. It is especially important that we know what has been taking place while we have been engrossed with Europe and what modifications these events have made in our Far Eastern policies.

China is a land which, because of its natural resources and the numbers, history and qualities of its people, seems destined to play an important part in the future of the world. Here are soils of unsurpassed fertility which have been farmed for centuries without signs of exhaustion. Here are great deposits of coal and iron, those two minerals most essential to our industrial civilization. Antimony, copper, tin and quicksilver add to the natural wealth of the land. There are few greater undeveloped sources of raw materials. Add to these endowments a favorable climate, great

rivers and an extensive sea coast, and it is evident that not many portions of the earth's surface are better fitted by nature to be the home of a great race.

The Chinese, too, are a mighty people. Estimates vary as to their number, but there are probably at least three hundred millions of them. When one recalls that they all speak dialects of the same language, use the same written character, and have much the same physical characteristics, it is apparent that they are the largest fairly homogeneous race of mankind. They have produced a civilization which in diversity and richness will bear comparison with the best in the world and they have a continuous recorded history of between three and four thousand years. In spite of their antiquity, however, the Chinese give the impression of undeveloped strength. They are industrious, frugal, patient and intelligent, and in large sections of the Far East are noteworthy as business men. Their students make enviable records in our American universities. They seem to have before them a future fraught with portentous possibilities for good or evil, and must be reckoned with in all world affairs. They are the greatest undeveloped market in the world. Should they find themselves, they may well become one of the dominant powers in industry, commerce, politics and culture.

#### CIVIL STRIFE AND WEAKNESS

In spite of her great natural wealth and the numbers and ability of her people, China is to-day weak and disorganized, an almost chaotic group of warring provinces which is in imminent danger of sinking into anarchy and of being partitioned among the powers. Civil strife abounds. The North is pitted against the South and hostilities between the two sections have been in progress intermittently for the past seven years. The issues are not always closely defined, nor are sectional lines clearly drawn, but in general the North stands for conservatism and militarism and the South for liberalism and government by the civil authorities.

First the Manchus from their seat at Peking, "the northern capital," fought with the republicans, whose strength lay south of

the Yangtze. When the former had been deposed and the republic had been established, the more democratic South fought from time to time the autocratic tendencies of the first president, Yuan Shih K'ai, who, himself a northerner, depended for his power largely upon the military chiefs of his own section. Yuan's opportune death in June, 1916, drew the entire country together for the moment, but within a year trouble had again broken out between the leaders of the two sections and the nation has ever since been racked by war. The conflicting ambitions of selfish leaders add to the confusion. When, as has several times happened in China's long history, a strong dynasty has collapsed, internal disorder has followed and military leaders have arisen who have fought until some one of them has proved himself so much stronger than his rivals that he has been able to establish himself as emperor over a united country. There are generals who to-day are trying to emulate this example and, while they usually give lip service to republican ideals, their ambitions are as selfish and autocratic as were those of their ancient prototypes.

The restoration of public order is the more difficult in some sections because of swarms of bandits. In the weakened condition of both the central and the local governments, robbers have gathered into bands and have terrorized and dominated extensive districts. In places they have even taken over the government and have used it for their own interests.

With the administration so disorganized the finances of the country have fallen into sad confusion. Ever since 1901, when the powers loaded upon China an indemnity for the atrocities of the Boxer year, the nation has been struggling under a foreign-owned debt. To the indemnity have been added borrowings by each new government. Income seldom equals expenditures and under various specious pleas,—sometimes a reorganization of the currency, sometimes national development, sometimes to aid a new régime in re-establishing order,—the nation has gone ever more deeply into debt, mortgaging its revenues and its resources for years ahead. The burden would not prove unduly heavy were the administration of the country efficient; in comparison with the

national wealth the debt is not as large as is that of many a European nation. As it is, however, currency is in confusion, paper issues are depreciated or valueless, and the central and local governments are kept from bankruptcy and repudiation only by fear of the powers.

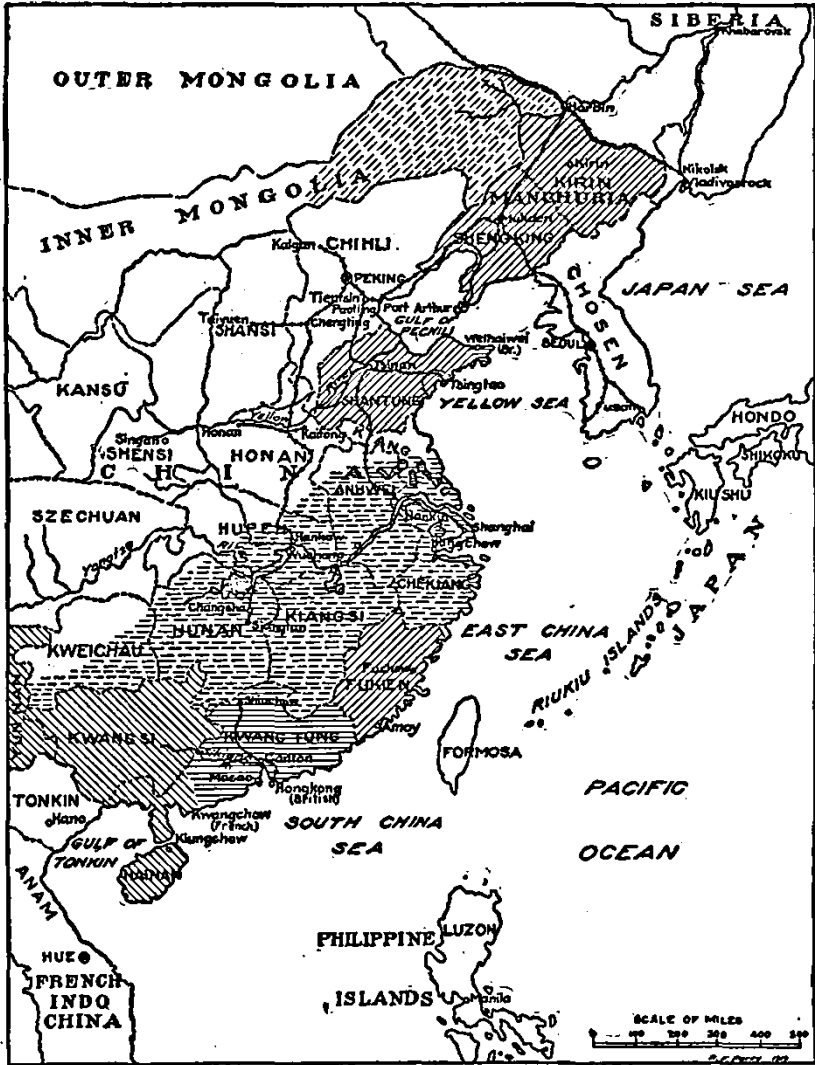
#### INDEPENDENCE PARTIALLY LOST

Added to the nation's cup of bitterness is her partial loss of independence. She is not the master of her own finances. Her tariff is fixed not by act of her parliament but by treaties with the powers, and cannot be raised or lowered without their unanimous consent. These customs duties are collected largely by foreigners in the service of the Chinese Government and are pledged to the payment of debts owed abroad. The administration of the salt monopoly, which, with the foreign customs and the land tax, forms China's chief source of income, is also supervised by Westerners and mortgaged to meet foreign loans. The Chinese have borrowed extensively to build railways and develop mines and industries and each new debt has brought more supervision by outsiders.

China does not, moreover, have jurisdiction over the aliens within her borders. Exterritoriality is the rule and is bulwarked solidly by the most-favored-nation clause which insures that a privilege granted to one power will be given to every other.

Nor does China have complete control of all her territories. In most of her principal cities are concessions which are policed and governed by foreigners. Alien troops guard the legation quarter in Peking and the railway from that city to the coast. France has a long-time lease on a port in the South and a "sphere of influence" which reaches inland to include the wealthy province of Yunnan. Great Britain has possession of the island of Hong Kong, the most important commercial center of the South, and of an adjoining portion of the mainland. She also has a well-defined sphere of influence over that portion of Tibet which adjoins India, a much more shadowy one over the Yangtze valley, and a lease on Wei-hai-wei, a fortified point which partially controls the sea





MAP OF CHINA, SHOWING SPHERES OF INFLUENCE  
 FRENCH  BRITISH  JAPANESE   
 PARTIAL INFLUENCE INDICATED BY BROKEN LINES

approach to Peking. Russia at the time of her collapse had a sphere of influence over Outer Mongolia, and by railway concessions controlled Northern Manchuria. Germany in 1914 possessed a lease on Tsingtao, the most valuable port of the wealthy province of Shantung, and was building a railway system to connect it with a vast *hinterland*. Japan in 1914 held most of the railways of Southern Manchuria and by means of leases on important centers and concessions of various kinds had obtained a dominant position in that very rich section of the country. Since 1914 the island power has displaced Germany in Tsingtao and Shantung, and has wrested from China concessions which give her such a predominant influence in the affairs of her huge neighbor that we shall need later to speak of them in more detail.

Industrially and commercially, too, China has fallen on evil days. Her methods of manufacture have been unable to cope with those of the West and with rare exceptions her owners of capital have not yet learned to manage successfully the forms of organization which are necessary to install and conduct a modern factory system. Her teas are slowly giving way in foreign markets to those from India, and her silks to those from Japan. She has not yet substituted the joint-stock company for the guild and the partnership.

#### CAUSES OF WEAKNESS

The causes of this weakness of China are many, but the principal ones are not far to seek. First are factors arising from the impact of the West. Within the past hundred years the alien culture of the Occident has been forced upon China by the aggressive peoples of Europe and America and confusion has followed the radical and necessary readjustments. China was first scornful, then angrily resentful, then hesitant, but at last she fully resolved to adopt such of the culture of the outer barbarians as she needed to beat them at their own game. The transition has temporarily meant anarchy. If China cannot find herself, her people may sink to the permanent status of hewers of wood and drawers of water to the stronger races of the globe. If she finds herself,—and

there are many who know her who believe that ultimately she will do so,—a future of great promise is open before her. In the old days China's government was only loosely centralized, but to meet the demands of western powers it was forced to try to act as a unit. The resultant effort has accentuated the resentment of the provinces at the exercise of authority by the capital. The attempt of the liberals to substitute a democratic government of the western type for the traditional Oriental despotism of the Manchus has brought still further disorder. One feature of the impact of the West has been the cupidity of Occidental powers. To the imperialistically-minded statesman of the late nineteenth century, China was a tempting prey. Her weakness and her wealth could not be resisted, and the eagerness of each power to outwit the others and obtain for itself the exclusive control of a share of the booty, stimulated the cupidity of its rivals. Disgraceful intrigues centered at Peking and resulted in the weakening of Chinese authority and the incipient partition of the country.

A second cause of China's weakness is to be found in the selfishness of her leaders. Public office in China has for years meant an opportunity for private gain. Positions are bought and sold, salaries are small, and the successful competitors reward themselves for their expenditures by appropriations from the public funds. The honest official is the exception, for the system puts an almost irresistible pressure upon the integrity of the man who would stand against it. In the old days before the coming of the West this was not so serious a defect, but it now threatens the very existence of the state.

A third cause is the years of rule by a decadent dynasty of foreign conquerors. The Manchus, an alien people from the North, made themselves masters of China in the seventeenth century. The earlier Manchu emperors were for the most part strong men, but in later years luxury and the long enjoyment of power did their baleful work, and the line failed of vigorous scions. The Empress Dowager Tzu Hsi was the last who proved capable of holding the nation together, and after her death in 1908 neither the infant who was placed on the throne nor the regent proved

capable of guiding the country through the trying years of transition or of maintaining their own family in power.

A fourth source of China's weakness is in her population. The very weight of numbers makes the nation unwieldy. It is a huge task to guide a fifth of the human race out of ancient ruts into new paths and it is not strange if temporarily disaster seems to threaten. The masses, too, while splendid human material in the rough, are largely uneducated, provincial in their outlook, and quite incapable as yet of giving solid, intelligent support to able, patriotic leaders at Peking, even did such exist. The educated class, while influential, is comparatively small and is as yet too unprepared by its training and too engrossed in its selfish enterprises to afford the right kind of leadership for public opinion.

#### JAPAN'S ATTITUDE TOWARD CHINA

On top of China's weakness and its causes came in 1914 the Great War and with it new and important developments. In the main the war has meant to the Middle Kingdom increasingly compromised independence and growing disorder.

The added threat to independence has come through the activities of Japan. This empire, more than any other foreign power, is vitally interested in the fate of China. The arable soil of the islands is limited and the population is rapidly growing. The only immediately feasible alternatives to starvation are emigration and the development of manufacturing and commerce. For several reasons which need not here concern us, relief has been sought chiefly by the latter means. If, however, industry and trade are to relieve the pressure, the country must have two things, a convenient market and a source of raw materials. Japan herself has but little iron, and her coal beds are none too extensive. Fortunately for her, however, in China are to be found both raw materials in abundance and one of the greatest undeveloped markets in the world. From China she can obtain coal, iron, cotton, copper, antimony, and in time other raw materials, and for all of these she can make payment in manufactures. Moreover,

geographical propinquity and an historic cultural connection give to Japan a strong natural advantage in the markets of her huge neighbor. She has come to feel a sort of prior claim to China and has believed, and rightly so, that her very life depends upon keeping open the doors to that country. She has had, however, to face the menace of the Occident. She has seen the integrity of China threatened by Europe and has watched the incipient division and appropriation of her huge neighbor by nations whom she dare not meet unaided in single combat. In 1904 and 1905, assisted by the Anglo-Japanese alliance, she fought Russia and took from that power its railways, concessions and leased territories in Southern Manchuria. The war was won at fearful cost, however, and a second trial of strength with Europe might not end so favorably.

When the War of 1914 broke out, Japan saw in it her opportunity. Her support was worth much to either group of powers and she could probably ask a good price for it. Europe would, moreover, be too deeply engrossed at home to throw many obstacles in her way in China. It was Japan's chance so to bind China to herself that when the war should end, no meddling Occidental could build a wall between them. Very naturally and properly, Japan's aid was thrown to the side of the Triple Entente. She was bound to Great Britain by the Anglo-Japanese alliance and had reason to remember with anger certain German insults to her 20 years and more before. She demanded that Germany turn over to her Tsingtao, and when no answer was given, declared war. Tsingtao was captured after a short struggle and German raiders were driven off the Pacific. Japan then began to show her hand in China. Her aim, the cementing of bonds between the two which could not be dissolved by a general peace, could be achieved in the main in one of two ways. She could either win China to a voluntary, friendly alliance, or she could coerce that nation into an unwilling, sullen tutelage. It was the first path which Japan professed a desire to follow. Perhaps the effort was not entirely sincere and possibly the two peoples were lacking in the proper mutual esteem, but in any event it was the

latter path which was eventually chosen. Ill-feeling resulted which, far from drawing the two peoples more closely together in sentiment, embittered their relations. Japan was to obtain an increased formal control over China, but in so doing she was to stir up bitter hatred. First of all, Japan was not inclined to respect the niceties of Chinese neutrality. The Japanese attack on Tsingtao was made through China's territory. Towns and cities were occupied and railroads and transportation lines were seized and controlled whenever military necessity seemed to make such action advisable. China's inability to maintain her neutrality against German aggression and to preserve her full independence against foreign powers may with some show of justice be urged in extenuation, but it was unfortunate for the future relations between the peoples that Japan should deem it necessary to follow such high-handed measures. When Tsingtao had fallen, Japan did not share its occupation with her British Ally and, while disclaiming any purpose of selfish aggrandizement, showed little disposition to turn over the leased territory to its original owner.

#### JAPAN'S DEMANDS IN 1915

Then early in 1915 came the famous 21 demands. At first made in secret their terms were not for the time given out to the world and then when officially published the most startling provisions were at first withheld. When the demands became fully known, however, it was clear that were they granted the great Asiatic republic would be bound hand and foot to its doughty neighbor. They were comprised under five heads. First, China was to assent to any arrangement which Japan and Germany might make of the latter's claims in Shantung. China was, moreover, not to cede or lease to any third power any territory within or along the coast of Shantung. New ports in the province were to be opened to trade and additional railway concessions were to be granted Japan. Second, in South Manchuria and Eastern Mongolia railway leases already held by Japan were to be extended to 99 instead of 25 years. Japan was to be consulted before special

privileges were given other foreigners and her subjects were to be accorded advantages of residence and landholding which were given to aliens nowhere else within the empire. Southern Manchuria and the adjoining districts of Mongolia were thus to be bound more tightly to Japan than ever before. Third, when the opportune time arrived the Han-yeh-ping iron works at Hanyang were to be made a joint enterprise of the Chinese and Japanese, the former were not to sell their rights in it to another power, and the company's permission was to be obtained before concessions could be made for mines in the neighborhood of bodies of ore or coal owned by the company. The Han-yeh-ping enterprise is in the heart of China and is by far the most important producing source of iron and steel in the Republic. Japan hoped by controlling it to insure to herself a sufficient supply of the metal, for she stands sorely in need of it if she is to become a great industrial and shipping power. Fourth, without the consent of Japan, China was not to alienate either by concession or lease any portion of her coast to any third power. This would, of course, insure the recognition of Tokyo's veto on any suggested partition of the Middle Kingdom. Fifth, China was to employ Japanese advisers in her financial, military and political affairs. The islanders were to join in the administration of the police departments of important Chinese cities and were to supply 50 per cent. or more of the munitions used by China's armies. The Japanese might build and own hospitals, churches and schools in China and propagate religious ideas. Important railway concessions were to be granted in the Yangtze valley. In the province of Fukien, opposite Formosa, not only were the Japanese to be permitted to work mines, build railways and construct harbor works, but they were to be consulted before capital could be borrowed from any other country to carry out such projects. It was evident that were this fifth group granted China would become virtually a protectorate of Japan.<sup>1</sup>

<sup>1</sup> For the texts of the demands and the settlement, see Appendix I, pages 193-205.

## CHINA YIELDED TO JAPAN

When the demands became public property all China seethed with indignation. That the islanders, who in centuries past had derived most of their culture from China and upon whom the Chinese had looked as barbarians, should dare to make such proposals was cause for intense anger. The rage of the country was no less fierce because of the shameful knowledge that Peking was quite impotent to offer armed opposition. Negotiations were perforce entered into and resulted in China's assent to the first four groups. The fifth group was not accepted, but neither was it formally rejected. It was simply put aside for further discussion, a discussion which has never been publicly renewed.

With this diplomatic victory Japan seemed for a time to rest content. In 1916, however, rough usage of Japanese in Western Manchuria gave Tokyo an opportunity to make demands for the still further control of that region. Peking again could only protest, but Japan eventually yielded all but the minimum that was necessary to preserve her prestige.<sup>1</sup> That same year saw Japan enter into a fresh agreement with her former enemy, Russia, by which the two powers agreed not to enter into any alliance with a third power which should be directed against the other and promised to consult in case there arose a menace to the special interests of either in the Far East.<sup>2</sup> This tended to strengthen the ties that bound Japan to the Entente and was a clear indication that for at least the duration of the war Japan's Allies would not seriously obstruct her activities in China.

## JAPAN'S LATER GAINS

In 1917 Japan again showed her hand in asserting that a note of special advice which the United States sent to Peking should first have been viséed by Tokyo. America did not grant her contention, but in November, 1917, in the Lansing-Ishii agreement, Japan, while reaffirming her purpose to stand for the territorial in-

<sup>1</sup> For essential texts, see Appendix I, pages 205-208.

<sup>2</sup> For the text of the agreement, see Appendix II, pages 215-216.



tegrity and independence of China and the open door, obtained from Washington recognition that she had "special interests" in her huge neighbor.<sup>1</sup> Japan, moreover, by her protests effectively quashed an American railway project which would have competed with the former German lines which she controlled in Shantung and thus won additional recognition of her power in that province. Japanese trade with China steadily increased during the war, when Occidental goods were so largely shut out, and she has been investing capital in Chinese factories.

During 1917 and 1918 the Peking authorities borrowed extensively from Japanese bankers and the latter have not neglected to obtain good security in concessions and mortgages on resources and revenues of the type so familiar to foreigners who loan money to China.

In the spring of 1917 the Chinese public was alarmed by rumors that fresh concessions were being made to Tokyo by the Peking authorities. For some time these reports seemed to die down, but early in 1918 the Chinese press began again to assert that the party in control at the capital was selling the country to Japan on terms which were even more unfavorable to China than the fifth group of the 21 demands. In May, 1918, official confirmation was given to the report that an agreement between the two countries had been reached, but when a few days later the full texts were published<sup>2</sup> they were seen to involve nothing more than military co-operation for meeting the disorder which the break-up of Russia threatened along the northern Chinese borders. From time to time rumor insists that there are secret agreements which have never been published. A few of these,<sup>3</sup> particularly arrangements in regard to railways in Shantung and Manchuria and the administration of the former province, have recently been made public, but no conclusive evidence of further understandings has yet been given to the world. In her efforts to allay the unrest in Eastern

<sup>1</sup> For text of the Lansing-Ishii agreement see Payson Jackson Treat, *Japan, America and the Great War (A League of Nations, I, No. 8)*, 456-462.

<sup>2</sup> For text see Appendix I, pages 208-210.

<sup>3</sup> For texts see Appendix I, pages 210-213.

Siberia, however, Japan has in part substituted her control for that of Russia in the sections of Manchuria which were left to the latter power by the treaty of Portsmouth.

### JAPAN'S POWER IN CHINA

The fact of Japan's growing power over China cannot be gainsaid. Her influence is now, indeed, predominant at Peking. However, she has thus far failed to arouse any sympathetic support among the Chinese people. If there is a pro-Japanese party in China it must work under cover and it is tied to Tokyo only by the hope of selfish advantage. By the great mass of the Chinese, both educated and uneducated, the islanders are cordially detested. The Tokyo authorities may have coerced Peking into concessions but in doing so they have aroused the bitter and almost unanimous resentment of the Chinese. The voluntary alliance on which alone mutually beneficial relations can be permanently established seems even further away than in 1914. The Chinese hate and fear the Japanese and the Japanese despise the Chinese and look with cupidity upon the great areas which the latter are unable to protect against internal and external enemies. In all discussion of Far Eastern affairs, however, it is well to remember the bitter and often utterly unjust anti-Japanese prejudice of Americans and Chinese during the past few years, the evil example set Japan by European nations in past years, the fearful consequences to Japan were China to be closed against her by the West, and the fact that there are moderates as well as extremists in Japan.

The tension between Japan and China has only been heightened by the proceedings at the conference in Paris. The Chinese delegates have asked that Tsingtao be given back to China and that concessions which China made to Japan in 1915 be canceled. These, it is claimed, were obtained under duress, and are contrary to the American 14 points. Peking has openly supported its delegates in their position and Japan has expressed indignation and an unwillingness to yield. Late in April, 1919, the news was given to the world that Great Britain, France, Russia and Italy

had in February, 1917, formally assured Japan that at the peace conference they would support her claims to the former German possessions in Shantung. What professes to be the text of the notes between France, Great Britain and Japan was published in full, and the contents of Italy's and Russia's communications were summarized. Great Britain's reward was to be the German islands south of the equator, and France's, the promise of Japanese support in inducing China to break with Germany.<sup>1</sup>

#### INTERNAL DISSENSION A WEAKNESS

The most important factor in giving Japan her opportunity and her cause for interference in China as well as the source of much weakness and anarchy has been the dissensions within that unhappy land, dissensions which the European war has accentuated. When in 1914 the storm broke upon the world, Yuan Shih K'ai was president. He had in 1913 dismissed Parliament with its obstructionist southern democrats, and had ruled through military chiefs (*chang-chuns* and *tu-chuns*) and a provisional government made up largely of northern conservatives. In 1915 a movement was engineered by interested parties to restore the empire and place Yuan on the throne. To this agitation the President gave assistance and in December of that year the change was announced. Bitter opposition to the revived monarchy developed in the Southwest and South, however, and in March, 1916, Yuan weakened and announced that the republic would be continued. This *volte face* did not satisfy the radicals and Yuan's resignation and punishment were demanded. Province after province was insisting on its independence of the Yuan-controlled Peking, when, at an opportune moment in June, 1916, the President died. The vice president, Li Yuan Hung, automatically became the head of the state. He was a man of honest intentions and was acceptable on the whole to both the radical and conservative factions, but he was later to prove himself incapable of the vigorous and decisive action which

<sup>1</sup> For texts see Appendix V, pages 220-224.

was required of one in his position. Feng Kuo Chang, a former henchman of Yuan Shih K'ai, but not entirely unfavorable to the liberals, was elected vice-president. Li inherited from Yuan a cabinet and a northern conservative premier, Tuan Chi Jui. The Parliament which Yuan Shih K'ai had in 1913 first purged and then dismissed reconvened and began serious work on the draft of a permanent constitution.

### WAR STARTED NEW STRUGGLE

For a time president, cabinet and parliament managed to live in harmony, and the republic seemed to have brighter prospects than at any time since its inception. The breach between America and Germany, however, started a train of events which was to renew the factional struggle on an unprecedentedly extensive scale. When in February, 1917, the United States severed diplomatic relations with Germany she sent notes to the various neutral states suggesting that they follow her example.

So far during the war China had, if anything, been mildly pro-German. Her resentment toward Japan, who was one of the Allies, the propaganda of German residents, and the admiration and fear of her military leaders for the great Teutonic power had on the whole inclined her toward the side of the Central Powers. China regarded the United States, however, as her best friend and any word from her would carry weight. Some of her more progressive leaders, moreover, sympathized with the dominant aims of the Entente, especially as the issues of the struggle came to be defined by President Wilson. Then, too, it was felt that China might expect some concessions from the Allies and by siding with them obtain a voice in the peace conference. Aided by these various considerations and the tactful diplomacy of the American minister, Dr. Reinsch, the American note to neutral powers led Peking to dispatch a protest to Berlin. On March 14, 1917, in spite of the conciliatory attitude of the Germans, diplomatic relations between the two countries were severed and when in April the United States declared war on Germany, China was inclined

to follow her example. President, premier and parliament were all probably in favor of hostilities and the premier held a conference of the military governors of the provinces to discuss the advisability of China's entering the struggle. The decision was for war and as a result the cabinet drafted the necessary bill and on May 7 presented it to parliament, with the recommendation that that body pass it. Parliament was ready for war, but were it to ratify the measure presented by the cabinet and the premier, it might seem to be playing into the latter's hands. There was, accordingly, some hesitation, although a favorable vote was reasonably certain. On May 10, however, a mob of the baser elements of the capital gathered outside the buildings where parliament was sitting and tried to intimidate that body into declaring war. Parliament took fright at what it deemed attempted coercion by the premier and not only failed to pass the bill but raised a storm of criticism against Tuan for the alleged use of mob violence. Under the stress of this criticism most of the cabinet resigned, and parliament, postponing the war question, began to demand that the premier retire or be dismissed, for they said that to declare war without a well-organized cabinet would be to court disaster.

#### TRIED TO SATISFY MILITARY CHIEFS

The military chiefs of the North now took a hand in the fray and petitioned the president to dissolve parliament. This President Li declined to do, but on May 23 he dismissed Tuan Chi Jui and appointed the liberal, Wu Ting Fang, as acting premier. Upon this the northern military chiefs redoubled their outcry and threatened the secession of their provinces. One general actually did declare the independence of his province, Anhui. The president endeavored to obtain a premier who would be acceptable to both the military party and parliament but failed of success, and, weakening, called on Chang Hsun to come to Peking and act as an official adviser in the existing crisis. Chang Hsun, the *tuchun* (military governor) of Anhui, was a notorious general of the old school who maintained a semi-bandit army astride the railway

from Tientsin to the Yangtze. He responded by coming as far as Tientsin and then, after conference with Tuan Chi Jui and other military leaders, urged the president to dissolve parliament. This Li at first declined to do, but on further threats from the military leaders and Chang Hsun weakly complied with their demand (June 13). The act not only meant a violation of the constitution but showed the president to be unworthy of his high office. Chang Hsun now came to Peking with his cohorts. Elated with the success that had attended his advice to the president and irritated by the delay in reorganizing a cabinet, on July 1 he executed a *coup d'état*, and electrified the world by announcing the restoration of the Manchu empire. President Li now brought further contumely on himself. He resigned in favor of the vice-president, Feng Kuo Chang, appointed Tuan Chi Jui premier and, while appealing to the country to stand by the republic, fled for refuge to the Japanese legation. The northern military chiefs, however, were not minded to acknowledge the Manchus, and under Tuan Chi Jui quickly defeated Chang Hsun and drove him for refuge to the Dutch legation.

The republic was now restored, but Li Yuan Hung refused to return to the presidential chair which he had left with such ignominy and Feng Kuo Chang became acting president. Moreover, Tuan Chi Jui and the northern military party were now in control of Peking and while Feng Kuo Chang had not favored the dismissal of Parliament he was not looked upon with favor by the South. Hostilities began between the adherents of the dismissed parliament, with their headquarters at Canton, and the northern military party. Into the details of the struggle we need not enter. It is sufficient to say that hostilities have been in progress ever since. In the main the provinces south of the Yangtze have stood by parliament and those to the north of that river have supported Peking. Hsu Shih Chang, a northern militarist, was elected permanent president in the autumn of 1918, by a parliament which the south refused to recognize and, although Premier Tuan resigned, the two sections have seemed in some respects to be almost as far apart as ever. The Southerners claim that the issue is one

between democracy and militarism, but whatever the ideals of the two parties, neither group has been able to master the other and great sections of the country have been drifting rapidly toward anarchy.

The end of the war in Europe and the fear of Occidental intervention have helped to allay the civil war, however. A peace commission representing both the North and the South has met in Shanghai, and while it has not achieved its object, the situation is by no means hopeless. Indeed, a representative of the Southerners, Hon. C. T. Wang, who was in the United States to present to this Government the claims of his party, was appointed by Peking to serve on the Chinese delegation at Paris. As a result a commission speaking for all China is joining in the deliberations of the Peace Conference.

#### ENTERED WAR AGAINST GERMANY

In the excitement of civil strife the military party did not forget that desire for war with Germany which had originally precipitated the crisis. When once the northern republicans were again well in the saddle at Peking the question was reopened and Premier Tuan engineered a declaration of war<sup>1</sup> on the Central Powers which was promulgated on August 14, 1917. In this declaration parliament, of course, could not join, although the majority of the southern leaders were in theory in favor of war. Germany chose to regard the act as illegal, but the Chinese had no doubt that they were in the struggle. China could not, of course, give the Allies much more help than she was already rendering them. Chinese coolies by the tens of thousands had been recruited by the Allies in North China and sent as laborers to France to work behind the front-line trenches. China might contribute raw materials, and it was just possible that an effective military

<sup>1</sup>On this incident see "The First Time in Five Thousand Years" by Samuel G. Blythe, *Saturday Evening Post*, April 28, 1917. The article is a first-hand account of how "half a dozen Americans, headed by Paul S. Reinsch, the American minister to China, and assisted by two Australians of exceptional ability" secured the Chinese declaration of war. Mr. Blythe was one of the Americans.

force could be organized to aid in the restoration of order in Siberia.

The Peking leaders, however, expected advantage to accrue to China in other ways. They could, for one thing, cancel the balance of the Boxer indemnity due to the Central Powers. To enable them to participate actively in the war, the Allies permitted them to postpone for a time the payment of the Boxer indemnity instalments due them and agreed to discuss the upward revision of the customs duties to an effective five per cent. The effect of both measures would be the increase of funds available for an active prosecution of the war. The Chinese by becoming belligerents would, too, be entitled to representation at the Peace Conference and so would have an active voice in such deliberations of that gathering as concerned their future. They also hoped, but vainly, to obtain a reduction or an entire withdrawal of the foreign garrisons at Peking and on the Peking to Tientsin railway. The civil war and the unruliness and selfish designs of military chiefs and rulers prevented the country from taking any effective part even in Siberian affairs, and the Allies had occasion in the autumn of 1918 to complain to Peking that German intrigue was still in progress, that alien enemies were left at large, and that funds released by the suspension of payments on the indemnity were being diverted to other purposes than winning the war.<sup>1</sup> There is but little doubt, indeed, but that there was in progress at Peking a wasteful carnival of graft. China's official part in winning the war was a fiasco.

#### WORLD CONCERNED IN COUNTRY'S FUTURE

The weakness of China is of serious significance to the entire world and may involve the nations as deeply as did the disintegration of the Ottoman empire. The natural resources of the land and its potential value as a market have aroused the cupidity of Japan and the great industrial nations of the West. China is, in fact, as we have already seen, partially divided into spheres

<sup>1</sup>For text of the protest see Appendix III, pages 216-218.



of influence and concessions of various kinds which are fruitful sources of misunderstandings and jealousies. The Occident has several times been drawn into war by conditions in the country, and may well find itself much more deeply concerned in the future. The only sure hope of permanent peace is that China will achieve unity and strength and be able not only to dispense with foreign protection of aliens and their investments, but to resist successfully any efforts to obtain special concessions. If she can attain vigorous independent national life as a peace-loving democracy she may become a stabilizing and not a disturbing influence in the world's affairs.

So happy a consummation seems at times very remote or even hopeless, but there are agencies at work which give the world some ground for courage. There is a growing spirit of national unity and patriotism such as were said 50 years ago to be utterly lacking. Various reformers are at work and so progressive a man as Liang Ch'i Ch'iao is eagerly read by the large and influential younger class of students. The government schools are gradually improving, in spite of the many difficulties which confront them, and are giving some promise of training an adequate leadership. Thousands are making their way to foreign lands to imbibe the new learning at its sources and many of these return home fired with patriotic and altruistic ardor. Perhaps the majority of these will lose their vision, and in the enthusiasm and inexperience of youth even those who retain their worthier purposes will make mistakes, but those who know intimately the better elements of the newer student class can not despair of the future. There is, too, among many serious leaders, both young and old, a real moral awakening, as is seen, for example, in the rather remarkable progress and appeal of the Christian church in the past few years. The post office, the telegraph, railways and steamboats are binding the country together as never before, and a steadily improving press is helping to create what may in time be an intelligent public opinion. All these agencies may not grow strong early enough to save the country, but there are transforming influences at work which,

if allowed sufficient leeway, may well work a wholesome national regeneration.

#### CONSTRUCTIVE FORCES NEED AID

It would seem to be the part of wisdom for the world to aid the constructive forces in China's national life and to preserve the territorial integrity and independence of the country until they shall have had time to do their work. To this end in the main have been directed the efforts of the United States, both as a Government and through the private activities of its citizens. We have not been entirely without blame. Our exclusion laws, while directed to a wise object, have not always been passed with a due regard for China's rights or our treaty obligations, and their enforcement has frequently been unnecessarily harsh and discourteous. We have often been guilty of gross injustice to those Chinese whom we have allowed to live in our midst, and we are not free from bigoted race prejudice.

On the whole, however, our activities have been constructive. Our citizens have through purely voluntary societies carried on an extensive missionary work in China which has had as its object no gain to ourselves, but merely the welfare of the Chinese. Churches, schools, colleges and hospitals are maintained by American Christians all over our great sister republic and are centers of light and hope. No other single force in all China is more potent for good. Americans are to be found, too, teaching in government schools. The remission of a portion of our share of the Boxer indemnity has made possible the establishment of one of the most noteworthy schools in the entire republic, Ts'ing Hua College at Peking, and the sending to educational institutions in the United States of several hundred of the ablest younger Chinese. It was an American, Anson Burlingame, who after being our minister at Peking, encouraged and headed the first Chinese mission to the Occidental powers.

## AMERICA'S LATER SERVICES TO CHINA

We have consistently stood for equal economic opportunity, or the "open door," in China, and for the territorial integrity and independence of the nation. In 1899 under Secretary Hay the open door policy was formulated, and any formal adherence which the powers have given it is largely due to the initiative of our State Department. After the Boxer outbreak of 1900 we stood firmly against any partition of the country.<sup>1</sup> We joined in the protests against the Russian advance which after 1900 threatened the loss of Manchuria and our financiers assisted Japan when she restrained by force the aggression of the Tsar's Government. After the Russo-Japanese War we proposed to eliminate the concessions and the special spheres of influence in Manchuria and so to remove the causes of future disputes and the threat to Chinese independence by neutralizing the railroads of that district.<sup>2</sup> An international financial group was to loan China the money to buy back the Manchurian railways and to build from time to time such new ones as might be needed, and an international commission was to supervise their administration. Japan and Russia were afraid of the plan and thwarted it, but its purpose seems to have been altruistic. In 1912 Americans joined in an international syndicate which was to obtain a monopoly on all future loans to China. Their object was the joint administration of China's finances to prevent single nations from wringing from her special concessions as the price of aid and to assist her in getting on her feet as soon as possible. It was because President Wilson feared that this project might hamper too seriously China's efforts at independence that in 1913 the support of our Government and in consequence that of our financiers was withdrawn.<sup>3</sup>

After China had granted to Japan the first four groups of the 21 demands, the United States supported Chinese independence

<sup>1</sup> For texts see Appendix IV, pages 218-220.

<sup>2</sup> On the negotiations see *Foreign Relations of the United States*, 1910, 231-269.

<sup>3</sup> The statement of President Wilson of March 19, 1913, and the respondent statement of the American financiers are printed in the *American Journal of International Law*, VII, 338-341.

by notifying Peking that we could not recognize any agreement which would impair the treaty rights of our citizens in China, the political or territorial integrity of China, or the open door.

#### UNITED STATES ADVISED JOINING ALLIES

China broke with the Central powers and later declared war against them and their aggressive imperialism largely because of American influence. When the question of entering the war seemed about to plunge the nation into civil strife the United States advised China that it was more to the interests of the peace of the world that she preserve her internal unity than that she join with the Allies. In the autumn of 1917 we did, indeed, by the Lansing-Ishii agreement acknowledge Japan's special interests in China, but that was simply a recognition of a geographical fact, and in the same interchange of notes Japan renewed the assurances of her purpose to respect the territorial sovereignty of China and the "open door" into that country, assurances which she had also emphatically given in the Root-Takahira understanding of 1908.

After the announcement of the Lansing-Ishii agreement China's first reaction was one of intense disappointment. She felt that her one remaining friend among the powers had deserted her, and that the betrayal was all the more galling because she had entered the war largely as a result of our influence. She resented, too, the conclusion without her consent of an agreement which intimately concerned her. As time has passed, however, it has become evident that the United States meant to concede nothing to Japan which nature has not given the latter, and that she at the same time obtained a fresh promise to respect Chinese independence and the open door. It is possible, indeed, that by that act Washington insured the continued co-operation of Tokyo with the Allies.

#### AID REPUBLIC TO STAND ALONE

From the above brief and necessarily inadequate rehearsal of our relations with China it becomes evident that our traditional

policy has been one of friendly, and at times almost quixotic, effort to preserve the independence and the integrity of China and to aid the best elements of her population in their attempts to achieve national regeneration. It is apparent, too, that some such policy is the only possible hope of saving the nation from its own weakness and of preventing that weakness from becoming a menace to the entire world. Either China must be the prey of rival and conflicting ambitions of the powers and the possible cause of another world war, or some sort of international agreement must provide for the joint supervision of her foreign policies and her finances, both public and semi-public, and the maintenance of equal opportunity for access to her markets and stores of raw materials. It may be that a permanent international commission will be necessary.<sup>1</sup> It is certain that the League of Nations will find in China one of its first and most serious problems. It is also certain that if we in America are to play our due part in saving our sister republic we must prepare for it by a thorough education in Far Eastern problems and an unfaltering resolution to act with catholicity of spirit and self-restraint. If we lend our ears to partisan propaganda or if we enter on a program of selfish commercial exploitation our opportunity for usefulness is gone. The first would balk disinterested justice and the second would deservedly arouse the enmity of Japan and the other powers that have special interests in China.

<sup>1</sup>On February 12, 1919, announcement was made at Washington of a commission representing Japan, the United States and the other Allies, for the control of the Russian railways in Siberia and China. This, which in some respects resembles the Knox plan for the neutralization of Manchurian railways, may furnish a useful precedent for international supervision of disordered and disputed railways and mines in China.

## I. CHINO-JAPANESE NEGOTIATIONS, 1915-1918.

N. B.—Printed below are the original demands of Japan and the documents agreed upon between the two states on May 25, 1915. The texts are furnished with cross references to indicate which of the demands were finally assented to by China. The demands not so realized may be considered as representing Japan's unfulfilled policy toward China at that time. The 24 Japanese demands of April 26, 1915, were more nearly the basis of the agreements of the following May; they were formulated as the result of China's publishing the original 21 demands, and therefore do not throw as much light on Japan's intentions as their predecessors. The documents eventually signed received the assent of China after a Japanese ultimatum of May 7, 1915, in which Japan offered the "advice and hope that the Chinese Government, upon this advice, will give a satisfactory reply by 6 o'clock P.M. on the 9th day of May. It is hereby declared that if no satisfactory reply is received before or at the specified time, the Imperial Government will take steps they may deem necessary."

### I. JAPAN'S 21 DEMANDS, HANDED TO THE PRESIDENT, YUAN SHIH K'AI, BY MR. HIOKI, THE JAPANESE MINISTER, JANUARY 18, 1915.<sup>1</sup>

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 two nations agree to the following articles:

Art. 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. [Shantung treaty, Art. 1.]

Art. 2. The Chinese Government engages that within the province of

<sup>1</sup> China's Official History of the Recent Sino-Japanese Treaties, 18-21.

Shantung and along its coast, no territory or island will be ceded or leased to a third power under any pretext. [Exchange of notes *b.*]

Art. 3. The Chinese Government consents to Japan's building a railway from Chefoo or Lungchow to join the Kiaochow-Tsinan Railway. [Cf. Shantung treaty, Art. 2.]

Art. 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. [Shantung treaty, Art. 3.]

What places shall be opened are to be jointly decided upon in a separate agreement.

## II.

The Japanese Government and the Chinese 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:

Art. 1. The two contracting parties mutually agree that the term of lease of Port Arthur and Dalny and the term of lease of the South Manchurian Railway and the Antung-Mukden Railway shall be extended to the period of 99 years. [South Manchuria treaty, Art. 1.]

Art. 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. [Cf. South Manchuria treaty, Art. 2.]

Art. 3. Japanese subjects shall be free to reside and travel in South Manchuria and Eastern Inner Mongolia and to engage in business and in manufacture of any kind whatsoever. [South Manchuria treaty, Art. 2.]

Art. 4. The Chinese Government agrees to grant to Japanese subjects the right of opening the mines in South Manchuria and Eastern Mongolia. As regards what mines are to be opened, they shall be decided upon jointly. [Cf. Exchange of notes *d.*]

Art. 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:

*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. [*Cf.* Exchange of notes *e.*]

Art. 6. The Chinese Government agrees that if the Chinese Government employs political, financial or military advisers or instructors in South Manchuria and Eastern Mongolia, the Japanese Government shall first be consulted. [*Cf.* Exchange of notes *f.*]

Art. 7. The Chinese Government agrees that the 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. [*Cf.* Exchange of notes *a*, September 24, 1918.]

### III.

The Japanese Government and the Chinese Government, seeing that Japanese financiers and the Han-yeh-ping 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:

Art. 1. The two contracting parties mutually agree that when the opportune moment arrives the Han-yeh-ping 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 the same. [*Cf.* Exchange of notes *g.*]

Art. 2. The Chinese Government agrees that all mines in the neighborhood of those owned by the Han-yeh-ping 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. [*Cf.* Exchange of notes *g.*]

### 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 lease to a third power any harbor or bay or island along the coast of China. [*Cf.* Exchange of notes *b.*]



## V.

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

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

Art. 3. Inasmuch as the Japanese Government and the Chinese Government have had many cases of dispute between Japanese and Chinese police 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.

Art. 4. China shall purchase from Japan a fixed amount of munitions of war (say 50% 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 purchased.

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

Art. 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. [*Cf.* Exchange of notes *h.*]

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

## 2. ARRANGEMENTS OF MAY 25, 1915.

a. TREATY RESPECTING THE PROVINCE OF SHANTUNG.<sup>1</sup>

His Excellency the President of the Republic of China and his Majesty the Emperor of Japan, having resolved to conclude a treaty with a view to the maintenance of general peace in the Extreme East and the further strengthening of the relations of friendship and good

<sup>1</sup>China's Official History of the Recent Sino-Japanese Treaties, 43-44. A French text of the essential parts of the treaty was given out in Paris (*Le Temps*, February 28, 1919).

neighborhood now existing between the two nations, have for that purpose named as their plenipotentiaries, that is to say:

His Excellency the President of the Republic of China, Lu Tseng-tsiang, *Chung-ching*, first class Chia Ho decoration, minister of foreign affairs;

And his Majesty the Emperor of Japan, Hioki Eki, *Jushii*, second class of the Imperial Order of the Sacred Treasure, minister plenipotentiary and envoy extraordinary:

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

Art. 1. The Chinese Government agrees 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, interest and concessions which Germany, by virtue of treaties or otherwise, possesses in relation to the province of Shantung.<sup>1</sup> [Original demands, I, Art. 1.]

Art. 2. The Chinese Government agrees that as regards the railway to be built by China herself from Chefoo or Lungchow to connect with the Kiaochow-Tsinan railway, if Germany abandons the privilege of financing the Chefoo-Weihsien line, China will approach Japanese capitalists to negotiate for a loan. [Cf. Original demands, I, Art. 3.]

Art. 3. The Chinese Government agrees, in the interest of trade and for the residence of foreigners, to open by China herself as soon as

<sup>1</sup>This provision was supplemented by an exchange of notes respecting the restoration of the leased territory of Kiaochow Bay, in substance as follows:

"In the name of my Government I have the honor to make the following declaration to the Chinese Government:

"When, after the termination of the present war, the leased territory of Kiaochow Bay is completely left to the free disposal of Japan, the Japanese Government will restore the said leased territory to China under the following conditions:

"1. The whole of Kiaochow Bay to be opened as a commercial port.

"2. A concession under the exclusive jurisdiction of Japan to be established at a place designated by the Japanese Government.

"3. If the foreign powers desire it, an international concession may be established.

"4. As regards the disposal to be made of the buildings and properties of Germany and the conditions and procedure relating thereto, the Japanese Government and the Chinese Government shall arrange the matter by mutual agreement before the restoration.

"I avail, etc.,

(Signed) "HIOKI EKI."

The reply took "note of this declaration." (*Op. cit.*, 47-48; *Le Temps*, February 28, 1919.)

possible certain suitable places in the province of Shantung as commercial ports.<sup>1</sup> [Original demands, I, Art. 4, par. 1.]

Art. 4. The present treaty shall come into force on the day of its signature.

The present treaty shall be ratified by his Excellency the President of the Republic of China and his Majesty the Emperor of Japan, and the ratifications thereof shall be exchanged at Tokyo as soon as possible.

In witness whereof the respective plenipotentiaries of the high contracting parties have signed and sealed the present treaty, two copies in the Chinese language and two in Japanese.

Done at Peking this twenty-fifth day of the fifth month of the fourth year of the Republic of China, corresponding to the same day of the same month of the fourth year of Taisho.

*b. EXCHANGE OF NOTES RESPECTING SHANTUNG.*<sup>2</sup>

PEKING, the 25th day of the 5th month  
of the 4th year of the Republic of China.

*Monsieur le Ministre,*

In the name of the Chinese Government I have the honor to make the following declaration to your Government: "Within the province of Shantung or along its coast no territory or island will be leased or ceded to any foreign power under any pretext."

I avail, etc.,

(Signed) LU TSENG-TSIANG.

His Excellency,

HIOKI EKI,

*Japanese Minister.*

[The reply took "note of this declaration."]

<sup>1</sup> An exchange of notes respecting the opening of these ports was in substance as follows:

"I have the honor to state that the places which ought to be opened as commercial ports by China herself, as provided in Art. 3 of the treaty respecting the province of Shantung signed this day, will be selected and the regulations therefor will be drawn up, by the Chinese Government itself, a decision concerning which will be made after consulting the minister of Japan.

I avail, etc.,

(Signed) "LU TSENG-TSIANG."

The reply took note of the declaration. (*Op. cit.*, 44.)

<sup>2</sup> *Op. cit.*, 45.

c. TREATY RESPECTING SOUTH MANCHURIA AND EASTERN INNER MONGOLIA.<sup>1</sup>

His Excellency the President of the Republic of China and his Majesty the Emperor of Japan, having resolved to conclude a treaty with a view to developing their economic relations in South Manchuria and Eastern Inner Mongolia, have for that purpose named as their plenipotentiaries, that is to say:

His Excellency the President of the Republic of China, Lu Tseng-tsiang, *Chung-ching*, first class *Chia-ho* decoration, and minister of foreign affairs; and his Majesty the Emperor of Japan, Hioki Eki, *Jushii*, second class of the Imperial Order of the Sacred Treasure, minister plenipotentiary and envoy extraordinary;

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

Art. 1. The two high contracting parties agree that the term of lease of Port Arthur and Dalny and the terms of the South Manchuria Railway and the Antung-Mukden Railway, shall be extended to 99 years.<sup>2</sup> [Original demands, II, Art. 1.]

Art. 2. Japanese subjects in South Manchuria may, by negotiation, lease<sup>3</sup> land necessary for erecting suitable buildings for trade and manu-

<sup>1</sup> *Op. cit.*, 49-50.

<sup>2</sup> An exchange of notes respecting the terms of the leases was in substance as follows:

"I have the honor to state that, respecting the provisions contained in Art. 1 of the treaty relating to South Manchuria and Eastern Inner Mongolia, signed this day, the term of lease of Port Arthur and Dalny shall expire in the 86th year of the Republic or 1997. The date for restoring the South Manchuria Railway to China shall fall due in the 91st year of the Republic or 2002. Art. 21 in the original South Manchurian Railway agreement providing that it may be redeemed by China after 36 years from the day on which the traffic is opened is hereby canceled. The term of the Antung-Mukden Railway shall expire in the 96th year of the Republic or 2007.

"I avail, etc., (Signed) "LU TSENG-TSIANG."

The reply took note of the statement. (*Op. cit.*, 51-52.)

<sup>3</sup> An exchange of notes explaining this phrase was in substance as follows:

"I have the honor to state that the term 'lease by negotiation' contained in Art. 2 of the treaty respecting South Manchuria and Eastern Inner Mongolia signed this day shall be understood to imply a long-term lease of not more than 30 years and also the possibility of its unconditional renewal.

"I avail, etc.,

(Signed) "HIOKI EKI."

The reply took "note of the same." (*Op. cit.*, 59.)

facture or for prosecuting agricultural enterprises. [Original demands, II, Art. 2, revised.]

Art. 3. Japanese subjects shall be free to reside and travel in South Manchuria and to engage in business and manufacture of any kind whatsoever. [Original demands, II, Art. 3, revised.]

Art. 4. In the event of Japanese and Chinese desiring jointly to undertake agricultural enterprises and industries incidental thereto, the Chinese Government may give its permission.

Art. 5. The Japanese subjects referred to in the preceding three articles, besides being required to register with the local authorities passports which they must procure under the existing regulations, shall also submit to the police laws and ordinances and taxations of China.<sup>1, 2</sup>

Civil and criminal cases in which the defendants are Japanese shall be tried and adjudicated by the Japanese consul; those in which the defendants are Chinese shall be tried and adjudicated by Chinese authorities. In either case an officer may be deputed to the court to attend the proceedings. But mixed civil cases between Chinese and Japanese relating to land shall be tried and adjudicated by delegates of both nations conjointly in accordance with Chinese law and local usage.

When, in future, the judicial system in the said region is completely reformed, all civil and criminal cases concerning Japanese subjects shall be tried and adjudicated entirely by Chinese law courts.

Art. 6. The Chinese Government agrees, in the interest of trade and

<sup>1</sup>The postponement of Arts. 2, 3, 4 and 5 was provided for by an exchange of notes in substance as follows:

"I have the honor to state that, inasmuch as preparations have to be made regarding Arts. 2, 3, 4 and 5 of the treaty respecting South Manchuria and Eastern Inner Mongolia signed this day, the Chinese Government proposes that the operation of the said articles be postponed for a period of three months beginning from the date of the signing of the said treaty.

"I hope your Government will agree to this proposal.

"I avail, etc.

(Signed) "LU TSENG-TSIANG."

The reply took "note of the same." (*Op. cit.*, 61.)

<sup>2</sup>An exchange of notes respecting this arrangement for police laws and ordinances and taxation was in substance as follows:

"I have the honor to state that the Chinese authorities will notify the Japanese consul of the police laws and ordinances and the taxation to which Japanese subjects shall submit according to Art. 5 of the treaty respecting South Manchuria and Eastern Inner Mongolia signed this day so as to come to an understanding with him before their enforcement.

"I avail, etc.,

(Signed) "LU TSENG-TSIANG."

The reply took "note of the same." (*Op. cit.*, 60.)

for the residence of foreigners, to open by China herself, as soon as possible, certain suitable places in Eastern Inner Mongolia as commercial ports.<sup>1</sup>

Art. 7. The Chinese Government agrees speedily to make a fundamental revision of the Kirin-Changchun railway loan-agreement, taking as a standard the provisions in railway agreements made heretofore between China and foreign financiers. [*Cf.* Original demands, II, Art. 7.]

When in future more advantageous terms than those in existing railway loan agreements are granted to foreign financiers in connection with railway loans, the above agreement shall again be revised in accordance with Japan's wishes.

Art. 8. All existing treaties between China and Japan relating to Manchuria shall, except where otherwise provided for by this treaty, remain in force.

Art. 9. The present treaty shall come into force on the date of its signature. The present treaty shall be ratified by his Excellency the President of the Republic of China and his Majesty the Emperor of Japan, and the ratifications thereof shall be exchanged at Tokyo as soon as possible.

In witness whereof the respective plenipotentiaries of the two high contracting parties have signed and sealed the present treaty, two copies in the Chinese language and two in Japanese.

Done at Peking this twenty-fifth day of the fifth month [May] of the fourth year of the Republic of China [1915], corresponding to the same day of the same month of the fourth year of Taisho.

#### d. EXCHANGE OF NOTES RESPECTING MINES IN SOUTH MANCHURIA.<sup>2</sup>

PEKING, the 25th day of the 5th month  
of the 4th year of the Republic of China.

*Monsieur le Ministre,*

I have the honor to state that Japanese subjects shall, as soon as possible, investigate and select mines in the mining areas in South Manchuria

<sup>1</sup> An exchange of notes respecting the opening of these ports was in substance as follows:

"I have the honor to state that the places which ought to be opened as commercial ports by China herself, as provided in Art. 6 of the treaty respecting South Manchuria and Eastern Inner Mongolia signed this day, will be selected, and the regulations therefor will be drawn up, by the Chinese Government itself, a decision concerning which will be made after consulting the minister of Japan.

"I avail, etc. (Signed) "LU TSENG-TSIANG."

The reply took "note of the same." (*Op. cit.*, 53.)

<sup>2</sup> *Op. cit.*, 54-55.

specified hereinunder, except those being prospected for or worked, and the Chinese Government will then permit them to prospect or work the same; but before the mining regulations are definitely settled, the practice at present in force shall be followed.

Fengtien.

<i>Locality</i>	<i>District</i>	<i>Mineral</i>
Niu Hsin T'ai	Pen-hsi	Coal
Tien Shih Fu Kou	"	"
Sha Sung Kang	Hai-lung	"
T'ieh Ch'ang	Tung-hua	"
Nuan Ti T'ang	Chin	"
An Shan Chan region	Liaoyang to Pen-hsi	Iron
Kirin (southern portion)		
Sha Sung Kang	Ho-lung	Coal & Iron
Kang Yao	Chi-lin (Kirin)	Coal
Chia P'i Kou	Hua-tien	Gold
	I avail, etc.,	

His Excellency,

HIOKI EKI,

*Japanese Minister.*

(Signed) LU TSENG-TSIANG.

[The reply acknowledged "the receipt of the note."]

*e.* EXCHANGE OF NOTES RESPECTING RAILWAYS AND TAXES IN SOUTH MANCHURIA AND EASTERN INNER MONGOLIA.<sup>1</sup>

PEKING, the 25th day of the 5th month  
of the 4th year of the Republic of China.

*Monsieur le Ministre,*

In the name of my Government,

I have the honor to make the following declaration to your Government:

China will hereafter provide funds for building necessary railways in South Manchuria and Eastern Inner Mongolia; if foreign capital is required China may negotiate for a loan with Japanese capitalists first: and further, the Chinese Government, when making a loan in future on the security of the taxes in the above-mentioned places (excluding the salt and customs revenue which have already been pledged by the Chinese

<sup>1</sup> *Op. cit.*, 56-57.

Central Government) may negotiate for it with Japanese capitalists first.

I avail, etc.,

(Signed) LU TSENG-TSIANG.

His Excellency,

HIOKI EKI,

*Japanese Minister.*

[The reply took "note of the same."]

**f. EXCHANGE OF NOTES RESPECTING THE EMPLOYMENT OF ADVISERS IN SOUTH MANCHURIA.<sup>1</sup>**

PEKING, the 25th day of the 5th month  
of the 4th year of the Republic of China.

*Monsieur le Ministre,*

In the name of the Chinese Government, I have the honor to make the following declaration to your Government:

"Hereafter, if foreign advisers or instructors on political, financial, military or police matters are to be employed in South Manchuria, Japanese may be employed first."

I avail, etc.,

(Signed) LU TSENG-TSIANG.

His Excellency,

HIOKI EKI,

*Japanese Minister.*

[The reply took "note of the same."]

**g. EXCHANGE OF NOTES RESPECTING THE MATTER OF HAN-YEH-PING.<sup>2</sup>**

PEKING, the 25th day of the 5th month  
of the 4th year of the Republic of China.

*Monsieur le Ministre,*

I have the honor to state that if in future the Han-yeh-ping Company and the Japanese capitalists agree upon co-operation, the Chinese Government, in view of the intimate relations subsisting between the Japanese capitalists and the said company, will forthwith give its permission. The Chinese Government further agrees not to confiscate the said company,

<sup>1</sup> *Op. cit.*, 58.

<sup>2</sup> *Op. cit.*, 62.



nor without the consent of the Japanese capitalists to convert it into a state enterprise; nor cause it to borrow and use foreign capital other than Japanese.

I avail, etc.,

(Signed) LU TSENG-TSIANG.

His Excellency,  
HIOKI EKI,

*Japanese Minister.*

[The reply took "note of the same."]

*h. EXCHANGE OF NOTES RESPECTING THE FUKIEN QUESTION.<sup>1</sup>*

PEKING, the 25th day of the 5th month  
of the 4th year of the Republic of China.

*Excellency,*

A report has reached me to the effect that the Chinese Government has the intention of permitting foreign nations to establish, on the coast of Fukien province, dock-yards, coaling stations for military use, naval bases, or to set up other military establishments; and also of borrowing foreign capital for the purpose of setting up the above-mentioned establishments.

I have the honor to request that your Excellency be good enough to give me a reply stating whether or not the Chinese Government really entertains such an intention.

I avail, etc.,

(Signed) HIOKI EKI.

His Excellency,

LU TSENG-TSIANG,

*Minister of Foreign Affairs.*

*Reply.*

PEKING, the 25th day of the 5th month  
of the 4th year of the Republic of China.

*Monsieur le Ministre,*

I have the honor to acknowledge the receipt of your Excellency's note of this day's date, which I have noted.

In reply I beg to inform you that the Chinese Government hereby declares that it has given no permission to foreign nations to construct,

<sup>1</sup> *Op. cit.*, 63.

on the coast of Fukien province, dock-yards, coaling stations for military use, naval bases, or to set up other military establishments; nor does it entertain an intention of borrowing foreign capital for the purpose of setting up the above-mentioned establishments.

I avail, etc.,

His Excellency,

HIOKI EKI,

*Japanese Minister.*

(Signed) LU TSENG-TSIANG.

### 3. CHENGCHIA TUN NEGOTIATIONS, 1916-1917.<sup>1</sup>

In August, 1916, a dispute between a Japanese merchant named Yoshimoto and a Chinese soldier of the 28th division stationed at Chengchia Tun led to a fracas between Japanese and Chinese soldiers. The Japanese soldiers had been in Chengchia Tun for over two years. They had no justification for being there. The Chinese Government had repeatedly protested against their presence.

A Japanese policeman who was informed of the dispute induced a Japanese lieutenant to lead some Japanese soldiers to the Chinese barracks to demand satisfaction. A fracas ensued in which four Chinese and 12 Japanese soldiers were killed and others wounded. The Japanese troops were reinforced and new detachments were stationed at posts on the highway between Chengchia Tun and Ssupinkai.

On September 2, the Japanese minister submitted to the Foreign Office a series of eight demands divided into two categories. Four were demands properly so-called and four desiderata.

The demands were:

1. Punishment of the general commanding the 28th division.
2. The dismissal of the officers at Chengchia Tun responsible for the occurrence, as well as the severe punishment of those who took direct part in the fracas.
3. Proclamation to be posted ordering all Chinese soldiers and civilians in South Manchuria and Eastern Inner Mongolia to refrain from any act calculated to provoke a breach of the peace with Japanese soldiers or civilians.
4. China to agree to the stationing of Japanese police officers in places in South Manchuria and Eastern Inner Mongolia where their

<sup>1</sup> *American Journal of International Law, Supplement, XI, 112-119; reprinting from Peking Gazette, January 29, 1917.*

presence was considered necessary for the protection of Japanese subjects. China also to agree to the engagement by the officials of South Manchuria of Japanese police advisers.

The desiderata were:

1. Chinese troops stationed in South Manchuria and Eastern Inner Mongolia to employ a certain number of Japanese military officers as advisers.
2. Chinese military cadet schools to employ a certain number of Japanese military officers as instructors.
3. The military governor of Mukden to proceed personally to Port Arthur to the Japanese military governor of Kwantung to apologize for the occurrence and to tender similar personal apologies to the Japanese consul general in Mukden.
4. Adequate compensation to be paid by China to the Japanese sufferers and to the families of those killed.

The negotiations ended by the Governments agreeing to embody in an exchange of notes the following five stipulations:

1. The general commanding the 28th division will be reprovved.
2. Officers responsible will be punished according to law. If the law provides for severe punishment such punishment will be inflicted.
3. Proclamations will be issued enjoining Chinese soldiers and civilians in the districts where there is mixed residence to accord considerate treatment to Japanese soldiers and civilians.
4. The military governor of Mukden will send a representative to Port Arthur to convey his regret when the military governor of Kwantung and the Japanese consul general are there together.
5. Solatium of \$500 (five hundred dollars) will be given to the Japanese merchant Yoshimoto.

Note verbale handed by the Japanese minister to the Chinese minister of foreign affairs.

PEKING [January 5, 1917].

The statement that if the Chinese Government should employ foreign advisers on military affairs in South Manchuria, Japanese will be employed first, etc., has been made in the note dated May 25 [1915] annexed to the treaty respecting South Manchuria and Eastern Inner

Mongolia. As the employment of Japanese military advisers will facilitate mutual understanding between the military authorities of the two countries, and further as there is no doubt that this will help to prevent various troubles which may arise out of misunderstanding, the Imperial Government entertain the hope that the Chinese Government will continuously employ Japanese military advisers. However, it is not proper for the Imperial Government to insist upon this matter since it concerns the military affairs of the Chinese Government, and should, therefore, be left to the discretion of the Chinese Government.

*Reply.*

PEKING, [January 12, 1917].

The minister of foreign affairs has the honor to acknowledge the receipt of the Japanese minister's note verbale of January 5, stating that

[Japanese note repeated.]

The minister of foreign affairs has to state that there is a Japanese military adviser already engaged in the *tuchun's* Yamen at Fengtien. The note verbale is noted.

Note verbale handed by the Japanese minister to the Chinese minister of foreign affairs.

PEKING, [January 5, 1917].

The minister of foreign affairs has to state that there is a Japanese ploy a number of Japanese military officers to be instructors in military cadet schools. This is aimed at helping the training of military officers who will in the future be appointed to the various localities in Manchuria and Mongolia, and also to enlighten the spirit of friendship between China and Japan. Thus, it may be expected that unfortunate incidents like the Chengchia Tun case will not occur again and that the root of trouble may be exterminated permanently. However, it is not proper for the Imperial Government to insist upon this matter since it concerns the military affairs of the Chinese Government, and should, therefore, be left to the discretion of the Chinese Government.

*Reply.*

PEKING, [January 12, 1917].

The Chinese minister of foreign affairs has the honor to acknowledge the receipt of the Japanese minister's note verbale of January 5, stating that

[Japanese note repeated.]

The minister of foreign affairs has to state that hitherto the military cadet school has employed only officers of the national army as instructors and there is at present no intention of employing any foreigner.

#### 4. MILITARY AGREEMENT, MAY 25, 1918.

N. B.—The Chino-Japanese military agreement was signed on May 16, 1918, and a naval agreement three days later. These arrangements were the subject of an announcement in Tokyo on May 30, at which time an exchange of notes respecting them of the preceding March 25 was published. The negotiations were much discussed in the Far Eastern press on the supposition that their object was a Chino-Japanese alliance. The text printed here is said to be semi-official.<sup>1</sup>

Art. 1. In view of the penetration of enemy influence into the eastern territory of Russia, and of the likelihood of the peace of the two contracting parties being disturbed thereby, China and Japan mutually agree actively to undertake the obligations of war participation by measures designed jointly to guard against the action of the enemy.

Art. 2. The two countries shall mutually recognize and respect the equality of the other regarding position and interests in carrying out joint military measures.

Art. 3. When it is necessary to take action based on this agreement, orders will be issued by both China and Japan to their troops and people, calling on them to be frankly sincere in dealing with each other in the area of military operations; and the Chinese officials shall co-operate and assist the Japanese troops in the area involved so that there may be no hindrance to military movements. Japanese troops shall on their part respect Chinese sovereignty and shall not cause any inconvenience to the Chinese people by violating local customs and traditions.

Art. 4. Japanese troops in Chinese territory shall withdraw from China as soon as the war is ended.

Art. 5. If it be found necessary to send troops outside of Chinese territory, troops will be jointly sent by the two countries.

Art. 6. The war area and war responsibilities shall be fixed by mutual arrangement of the military authorities of the two countries as and when occasion arises in accordance with their respective military resources.

<sup>1</sup> Chino-Japanese Military Alliance by W. Reginald Wheeler, *Current History*, September, 1918, 498-502; Wheeler, *China and the World War* (New York, The Macmillan Company, 1919), 127-144.

Art. 7. In the interests of convenience, the military authorities of the two countries shall undertake the following affairs during the period necessary for the execution of joint measures:

1. The two countries shall mutually assist and facilitate each other in extending the means of communications (post and telegraph) in connection with military movements and transportation.
2. When necessary for war purposes construction operations may be carried on, and the same shall be decided, when occasion arises, by mutual consent of the chief commanders of the two countries. The said construction operations shall be removed when the war is ended.
3. The two countries shall mutually supply each other with military supplies and raw materials for the purpose of jointly guarding against the enemy. The quantity to be supplied shall be limited to the extent of not interfering with the necessary requirements of the country supplying the same.
4. Regarding questions of military sanitation in the war area, the two countries shall render mutual assistance to each other.
5. Officers directly concerned with war operations shall mutually be sent by the two countries for co-operation. If one party should ask for the assistance of technical experts, the other shall supply the same.
6. For convenience, military maps of the area of war operations will be exchanged.

Art. 8. When the Chinese Eastern Railway is used for military transportation, the provisions of the original treaty relating to the management and protection of the said line shall be respected. The method of transportation shall be decided as occasion arises.

Art. 9. Details regarding the actual performance of this agreement shall be discussed by mutual agreement of the delegates appointed by the military authorities of the two countries concerned.

Art. 10. Neither of the two countries shall disclose the contents of the agreement and its appendix,<sup>1</sup> and the same shall be treated as military secrets.

Art. 11. This agreement shall become valid when it is approved by both Governments after being signed by the military representatives of the two countries. As to the proper moment for the beginning of war

<sup>1</sup>"The details of the arrangements constituting as they do a military secret can not be made public, but they contain no provision other than those pertaining to the object already defined."—Japanese announcement of May 30, 1918.

operations, the same shall be decided by the highest military organs of the two countries. The provisions of this agreement and the detailed steps arising therefrom shall become null and void on the day the joint war measures against the enemy end.<sup>1</sup>

Art. 12. Two copies of the Chinese and of the Japanese text of this agreement shall be drawn, and one of each shall be kept by China and Japan. The Chinese and Japanese texts shall be identical in meaning.

## 5. CHINO-JAPANESE DOCUMENTS PUBLISHED IN PARIS.

### a. CHINESE FOREIGN MINISTER TO THE CHINESE DELEGATION TO THE INTERALLIED PEACE CONFERENCE.<sup>2</sup>

PEKING, February 22, 1919.

With regard to the Chino-Japanese agreements, you took away with you copies made by the Foreign Office of all those relating to the 21 demands and the Chino-Japanese military convention. The Foreign Office has already telegraphed the text, firstly, of the Kirin forest and mines loan; secondly, the draft of the agreements for the Manchurian and Mongolian railway loans; thirdly, the draft of the agreements for the Kaomi-Soochow and Tsinan-Shuntefu railway loans; fourthly, the notes exchanged regarding the co-operative working of the Kiaochow-Tsinan railway.

<sup>1</sup>An extension of the convention signed in February, 1919, and providing for its termination on the signing of the peace treaty was officially made public in Peking and Tokyo on March 14, 1919. The main convention was officially published at the same time. (Associated Press dispatch, March 14, 1919.)

<sup>2</sup>Associated Press dispatch, February 23, 1919. According to a Washington dispatch of February 11 based on official diplomatic information, the Chinese peace delegates reported when they arrived in Paris that copies of the secret treaties between China and Japan which they were taking to Paris with them had been stolen from their baggage while they were passing through Japan. It was afterward stated, however, that Japan had instructed her delegates to disclose all the unpublished agreements between China and Japan. Baron Makino of the Japanese delegation was quoted on February 13 as denying having received such an order. The Japanese delegation, it was declared, had asked China's consent to the publication of the agreements, but the Peking Government had not yet forwarded its reply.

Documents announced by the Associated Press as to be published at Peking and Tokyo were 12 in number and were stated to include two agreements or commercial contracts between the Chinese Government and the British Marconi Company, and two with the Siemens-Carey Company of the United States regarding railways and canals.

Besides these there are no other secret agreements, nor are there secret treaties of any kind.

Please disclose all these documents to the Peace Conference as circumstances permit, and act according to your discretion.

*b.* EXCHANGE OF NOTES RESPECTING MANCHURIAN RAILWAYS.

*i.* TSUNG-HSIANG CHANG, CHINESE MINISTER TO JAPAN, TO BARON GOTO, JAPANESE MINISTER FOR FOREIGN AFFAIRS.

TOKYO, September 24, 1918.

The Chinese Government has decided to obtain loans from Japanese capitalists and proceed speedily to build railways connecting the points as below set forth. Having received authorization from my Government, I have the honor to communicate the same to your Government:

First, between Kaiyuan, Hailung and Kirin;

Second, between Changchun and Taonan; and,

Third, from a point between Taonan and Jehol to some seaport. (This line to be determined subject to future investigation.)

Should there be no objection to the above propositions, it is requested that your Government lose no time in taking the necessary steps to cause capitalists in your country to agree to enter negotiations for loans on the same. A reply to the above is awaited and will be appreciated.

*ii.* BARON GOTO TO THE CHINESE MINISTER.

TOKYO, September 24, 1918.

I have the honor to acknowledge the receipt of your Excellency's note, intimating that your Government has decided speedily to build, with loans from Japanese capitalists, railways connecting the points as set forth below: [Cites items 1, 2 and 3 in the note of the Chinese minister.]

The Imperial Government, while noting with much pleasure the communication of the Chinese Government, begs to state in reply that it will lose no time in taking necessary steps to cause Japanese capitalists to enter into negotiations for loans on the same.

*c.* EXCHANGE OF NOTES RESPECTING SHANTUNG RAILWAYS.

*i.* TSUNG-HSIANG CHANG, CHINESE MINISTER TO JAPAN, TO BARON GOTO, THE JAPANESE FOREIGN MINISTER.

TOKYO, September 24, 1918.

The Chinese Government has decided to obtain loans from Japanese capitalists and to proceed speedily to build railways connecting the points



as set forth below. Having received authorization from my Government, I have the honor herewith to communicate the same to your Government:

- One, between Tsinan and Shunteh; and,
- Two, between Kaomi and Soochow.

However, in case the two lines mentioned are deemed disadvantageous from the point of view of railway management, other suitable lines will be decided upon by consultation. Should there be no objection to the above propositions, it is requested that your Government lose no time in taking the necessary steps to cause the capitalists of your country to agree to and enter into negotiations for loans on the same. A reply to the above is awaited and will be appreciated.

ii. BARON GOTO TO THE CHINESE MINISTER.

TOKYO, September 24, 1918.

I have the honor to acknowledge the receipt of your Excellency's note of this date intimating that your Government has decided speedily to build with loans secured from Japanese capitalists railways connecting the points as below: [Cites items one and two of the note of the Chinese minister.]

The Japanese Government, while noting with much pleasure the communication of the Chinese Government, begs to state in reply that it will lose no time in taking the necessary steps to cause Japanese capitalists to enter into negotiations for loans on the same.

d. EXCHANGE OF NOTES ON THE ADMINISTRATION OF SHANTUNG.

i. BARON GOTO, JAPANESE MINISTER FOR FOREIGN AFFAIRS, TO TSUNG-HSIANG CHANG, CHINESE MINISTER TO JAPAN.

TOKYO, September 24, 1918.

I have the honor to inform you that the Imperial Government, in view of the feeling of good neighborhood existing between the two countries and in a spirit of mutual accommodation, have deemed it fitting and accordingly have decided to propose to your Government to settle various questions relating to the province of Shantung in a manner as set forth below:

First—To concentrate at Tsingtao all Japanese troops stationed along

the Tsingtao-Tsinan railway, excepting a contingent to be left at Tsinan.<sup>1</sup>

Second—The Chinese Government to provide for the guarding of the Tsingtao-Tsinan railway and to organize a police force for that purpose.

Third—The Tsingtao-Tsinan railway to contribute an appropriate sum to defraying the expenses of such police force.

Fourth—Japanese to be employed at the headquarters of the police force, the principal railway stations and the training stations of the police force.

Fifth—Chinese to be employed on the Tsingtao-Tsinan railway.

Sixth—Upon determination of ownership the Tsingtao-Tsinan railway to run as a joint Chino-Japanese undertaking.

Seventh—The civil administration now in force to be withdrawn.

In acquainting you with the above, the Japanese Government desires to be advised as to the disposition of your Government regarding the proposals.

ii. TSUNG-HSIANG CHANG TO BARON GOTO.

TOKYO, September 24, 1918.

I have the honor to acknowledge receipt of your note with contents to the following effect: [Repeats almost verbatim the contents of Baron Goto's note.]

I beg to acquaint you in reply that the Chinese Government gladly agrees to the proposals of the Japanese Government above alluded to.

6. STATEMENT OF VISCOUNT UCHIDA, JAPANESE FOREIGN MINISTER,  
TO THE IMPERIAL DIET, JANUARY 21, 1919.<sup>2</sup>

It has been a source of grave concern to us that the protracted civil strife in China has proved as disastrous to the welfare of that country

<sup>1</sup>The summary of this note given out in Paris by the Japanese Government does not entirely correspond with the text printed above. The summary of the first point, literally translated, follows:

"In his letter, the minister for foreign affairs declares with a view to regulating various questions in suspense and in a spirit of good neighborhood, Japan proposes to retire all the troops which it has in Shantung, leaving in that province only a detachment at Tsinan and concentrating all its troops at Tsingtao." (*Le Temps*, February 28, 1919.)

<sup>2</sup>London *Times*, January 23, 1919, page 9. For the similar statement of 1918, by Viscount Motono see Payson Jackson Treat, *Japan, America and the Great War (A League of Nations, I, No. 8) 445-447*. For the statement of 1917 see *London Times*, Weekly Edition, February 2, 1917, 92.

itself as it is harmful to the interest of foreign powers. We therefore tendered our friendly advice to both the contending factions on December 2, in conjunction with Great Britain, France, America and Italy. It was apprehended that any financial help given to China at this juncture might give rise to general misgiving and hamper a speedy settlement of pending differences to the serious disadvantage of China and Japan alike. Accordingly we decided to refrain from giving to China any financial assistance, either in the form of loan or in a form otherwise calculated to create the apprehension that it might foment political complications in that country. The Government cannot, however, undertake to discourage the financial and economic enterprise of their nationals so long as they are the natural and legitimate outgrowth of the special relations between the two neighboring and friendly nations.

In view of the mischievous rumors circulated abroad from time to time in regard to our policy in China, I have to say that Japan has no territorial ambitions in China, as elsewhere; neither does she contemplate any action which might militate against the development of the legitimate interest and welfare of the Chinese nation. We intend to use our best endeavors for the development of a brilliant future for China and for the promotion of the general well-being of the Chinese people. We are, therefore, particularly anxious to deal in a spirit of justice and friendliness with all questions which may come up before the Peace Conference affecting Chinese interests.

Upon the acquisition of the right of free disposal of the leased territory at Kiaochow, we would restore it to China in accordance with the terms of the notes complementary to the treaty of May 25, 1915, regarding the province of Shantung. At the same time, we have to rely in a large measure upon the rich natural resources of China in order to assure our own economic existence. I have no doubt that both the Government and the people of China, in full appreciation of their friendly and neighborly relations with Japan, would not deny us the needed cooperation in this respect. They may certainly count on our ready assistance in the realization of any legitimate aspirations conducive to the general welfare of China, not to mention the question of the financial and economic aid necessary for the security and happiness of China in general.

## II. RUSSO-JAPANESE NEGOTIATIONS.

I. TREATY BETWEEN RUSSIA AND JAPAN RESPECTING CHINA, JULY 3, 1916.<sup>1</sup>

[The text below is that part of the treaty as published in the Associated Press day report for December 22, 1917, for which it was translated from *Izvestia*, the official organ of the Russian Bolshevik régime.

[The treaty was negotiated for five years, with provision for automatic extension. It was signed by Sergius Sazonov, Russian foreign minister, and Viscount Motono, for Japan. A provision stipulated that "the agreement shall remain a deep secret for all except for the high contracting parties." The preamble states that it is designed to supplement the treaties of July 30, 1907, July 4, 1910 and July 8, 1912.<sup>2</sup>]

Art. I. The high contracting parties recognize that the interests of either side demand the defense of China from political domination by any third power whatsoever cherishing hostile intentions toward Russia and Japan, and, therefore, undertake, whenever circumstances necessitate, to enter into open relations based on full confidence in order conjointly to take the necessary steps to prevent the advent in China of such a state of affairs.

Art. II. In the event that, as a consequence of any measures undertaken by mutual consent by Russia and Japan on the basis of the preceding article, any third power, as foreseen by Art. I, should declare war against Russia or Japan, the other high contracting party shall, on the first demand of its ally, come to its aid. Each high contracting party binds itself not to make peace with the common enemy without obtaining the agreement of its ally.

Art. III. The conditions on which either party shall give armed as-

<sup>1</sup>The British secretary of state announced in Parliament on January 21, 1918, in reply to a question, that the treaty "was communicated to the British Government confidentially by the Japanese Government before signature." (*London Times*, January 22, 1918, page 10.)

<sup>2</sup>Treaties referred to are the convention of July 30, 1907 (*British and Foreign State Papers*, CI, 462); the convention of July 4, 1910 (*Ibid.*, CIII, 586; CV, 979).

sistance, and the means by which such assistance shall be expressed, shall be fixed by the respective authorities of the high contracting parties.

Art. IV. It must be especially kept in mind that neither party shall consider itself obligated in accordance with Art. II to give its ally armed assistance unless it receives guaranties from its allies to the effect that they will give it assistance to the extent necessitated by the seriousness of the possible conflict.

. . . . .

### III. JOINT ALLIED NOTE PROTESTING AGAINST CHINA'S INACTIVITY IN THE WAR, PRESENTED OCTOBER 29, 1918.<sup>1</sup>

1. After her entry into the Entente group of belligerent nations and her declaration of war against Germany and Austria-Hungary, China demanded from the Allies the postponement of the Boxer indemnity and appropriation of the surplus of the customs revenue. This was at once agreed to by the Allies in the hope that China might make good use of these funds so as to develop her industries and supply the Allies with raw materials and promote the common interests of the Allies and China. It is deeply deplored, however, that the money has been squandered in merely prolonging the civil strife. In this way the allied nations feel that their good will has not been duly appreciated by China.

2. Although the War Participation Bureau has been established for a long time, it is only such an organ in name. The army under its control is not properly organized and no portion of it has ever been actually employed in the world war. On the contrary, the troops have been used to prosecute the civil war in China.

3. Bandits are being allowed to create trouble along the Tientsin, Pukow and Lung Hai Railways, interrupting traffic and wrecking rails. As the nationals of the Allies have capital in these railways, they have thus sustained losses and suffered directly from the bandit activities.

4. In appointing Tai Chen-lin as China's representative to the papal See without first obtaining approval from the allied countries, the Chinese Government seemed to entertain a wish purposely to embarrass the Allies

<sup>1</sup>New York *Times*, December 26, 1918; The *Nation*, International Relations section, January 25, 1919, page 149. The two versions differ in detail. Variations in substance have been indicated.

and placed herself under suspicion of having been influenced by the enemy.

5. The object of exercising supervision over enemy property and closing down their establishments is to prevent the enemy from being supplied with funds for intrigues. But in dealing with the Deutsch-Asiatische Bank, the Chinese Government failed to have German property carefully investigated and strictly watched.

6. (a) All enemy organs at Tientsin are not yet closed; (b) the Chinese authorities of Chahar arbitrarily interfered with and stopped the establishment of a motor car service by the national of a certain country (America); (c) all enemy firms at Shanghai are not yet closed. Neglect on the part of the Chinese Government to carry out any of these three measures has caused heavy losses to the Allies.<sup>1</sup>

7. China's enemy trading act, although passed by the cabinet, has not yet been promulgated [*Nation*: as promulgated by the last cabinet was not carried out by China].

8. The Hotel du Nord, an establishment of purely enemy proprietorship, was closed only after repeated strong protests on the part of the Allies. This is one of the proofs that China is not heartily helping the Allies.<sup>2</sup>

9. In spite of the Allies' repeated requests to dismiss the Taoyin of Heiho, who was reported to have supplied the Bolsheviki with foodstuffs, the Chinese Government has not done so. This shows that the Chinese Government is inclined to give protection to officials who are in communication with the enemy.

10. China has not yet interned enemy subjects who are notorious for their intrigues in China.<sup>3</sup>

11. It was agreed upon between China and the Allies that lawsuits between allied and enemy subjects should be tried in courts at which the

<sup>1</sup>The *Nation* version contains the following:

"5. The movements of enemy subjects in China are not effectively scrutinized by the Chinese Government authorities, so that dangerous Germans, such as Hanneken and others, are not interned up to the present time. It is said that the recent dispute between the American Mongolian Trading Company and General Tien Chung-yu of Chahar was also mentioned in this category."

<sup>2</sup>The *Nation* specifies that the hotel "was used as headquarters of enemy subjects in North China for their unlawful conferences and activities against the allied cause."

<sup>3</sup>The *Nation* version reads:

"10. The enemy internment camps are not properly conducted, and in consequence many dangerous Germans are not interned at all. The action of the Chinese authorities in certain cases is quite unsatisfactory to the Allies."

consuls of the nations concerned should be allowed to have seats in order that justice might be assured. Now in the trial of enemy subjects arrested in Tientsin and Urga the local authorities declined to allow the allied consuls to attend the courts of justice. These cases were not publicly tried and the enemy subjects were not severely dealt with.

12. If China will speedily and completely carry out the agreements between her and the Allies in connection with her participation in the European war and also the measures stated above, and discharge faithfully her duties as an allied belligerent, she will be entitled to enjoy equal privileges with the Allies at the Peace Conference to be held after the close of the great war.

The attention of the Chinese Government is called to the various points mentioned above.

#### IV. - POLICY OF THE UNITED STATES.

##### I. SECRETARY OF STATE HAY'S CIRCULAR NOTE ON THE OPEN DOOR IN CHINA, 1899.<sup>1</sup>

First. The recognition that no power will in any way interfere with any treaty port or any vested interest within any leased territory or within any so-called "sphere of interest" it may have in China.

Second. That the Chinese treaty tariff of the time being shall apply to all merchandise landed or shipped to all such ports as are within said "sphere of interest" (unless they be "free ports"), no matter to what nationality it may belong, and that duties so leviabie shall be collected by the Chinese Government.

Third. That it will levy no higher harbor dues on vessels of another nationality frequenting any port in such "sphere" than shall be levied on vessels of its own nationality, and no higher railroad charges over lines built, controlled or operated within its "sphere" on merchandise belonging to citizens or subjects of other nationalities transported through such "sphere" than shall be levied on similar merchandise belonging to its non-nationals transported over equal distances.

<sup>1</sup>William M. Malloy, *Treaties, Conventions, etc., of the United States, 1776-1909*, I, 244-260, at 257.

On March 20, 1900, Secretary Hay, in instructions to London, Paris, Berlin, St. Petersburg, Rome and Tokyo, wrote:

You will please inform the Government to which you are accredited that the conditions originally attached to its acceptance—that all other powers concerned should likewise accept the proposals of the United States—having been complied with, this Government will therefore consider the assent given to it by [France, Germany, Great Britain, Italy, Japan, Russia] as final and definitive.<sup>1</sup>

2. CIRCULAR NOTE TO THE POWERS CO-OPERATING IN CHINA,  
DEFINING THE PURPOSES AND POLICY OF THE UNITED STATES.<sup>2</sup>

(To the United States embassies in Berlin, Paris, London, Rome and St. Petersburg, and to the United States missions in Vienna, Brussels, Madrid, Tokyo, The Hague and Lisbon.)

DEPARTMENT OF STATE,  
WASHINGTON, July 3, 1900.

In this critical posture of affairs in China it is deemed appropriate to define the attitude of the United States as far as present circumstances permit this to be done. We adhere to the policy initiated by us in 1857 of peace with the Chinese nation, of furtherance of lawful commerce, and of protection of lives and property of our citizens by all means guaranteed under extraterritorial treaty rights and by the law of nations. If wrong be done to our citizens we propose to hold the responsible authors to the uttermost accountability. We regard the condition at Peking as one of virtual anarchy, whereby power and responsibility are practically devolved upon the local provincial authorities. So long as they are not in overt collusion with rebellion and use their power to protect foreign life and property, we regard them as representing the Chinese people, with whom we seek to remain in peace and friendship. The purpose of the President is, as it has been heretofore, to act concurrently with the other powers; first, in opening up communication with Peking and rescuing the American officials, missionaries and other Americans who are in danger; secondly, in affording all possible protection everywhere in China to American life and property; thirdly, in guarding and protecting all legitimate American interests; and, fourthly, in aiding to prevent a spread of disorders to the other provinces of the Empire and

<sup>1</sup> Foreign Relations of the United States, 1900, 142.

<sup>2</sup> Foreign Relations of the United States, 1901, Appendix, 12.



a recurrence of such disasters. It is, of course, too early to forecast the means of attaining this last result; but the policy of the Government of the United States is to seek a solution which may bring about permanent safety and peace to China, preserve Chinese territorial and administrative entity, protect all rights guaranteed to friendly powers by treaty and international law, and safeguard for the world the principle of equal and impartial trade with all parts of the Chinese Empire.

You will communicate the purport of this instruction to the minister for foreign affairs.

HAY.

## V. UNDERSTANDING AMONG THE ALLIES.<sup>1</sup>

### I. THE BRITISH AMBASSADOR AT TOKYO TO THE JAPANESE MINISTER FOR FOREIGN AFFAIRS.

BRITISH EMBASSY,  
Tokyo, February 16, 1917.

My dear Excellency: With reference to the subject of our conversation of the 27th ultimo, when your Excellency informed me of the desire of the Imperial Government to receive an assurance that on the occasion of a Peace Conference his Britannic Majesty's Government will support the claims of Japan in regard to the disposal of Germany's rights in Shantung and possessions in the islands north of the equator, I have the honor, under instructions received from his Britannic Majesty's principal secretary of state for foreign affairs, to communicate to you the following message from his Britannic Majesty's Government:

"His Britannic Majesty's Government accede with pleasure to the request of the Japanese Government for an assurance that they will support Japan's claims in regard to the disposal of Germany's rights in Shantung and possessions in the islands north of the equator on the occasion of the Peace Conference; it being understood that the Japanese Government will in the eventual peace settlement treat in the same spirit Great Britain's claims to the German islands south of the equator."

<sup>1</sup>New York *Times*, April 22, 1919. The notes were contained in a copyrighted cablegram by Charles A. Selden.

I avail myself of this opportunity, M. le Ministre, to renew to your Excellency the assurance of my highest consideration.

CONYNGHAM GREENE,  
His Britannic Majesty's Ambassador.

To his Excellency, Viscount Ichiro Motono, his Imperial Japanese Majesty's Minister for Foreign Affairs.

2. THE JAPANESE MINISTER FOR FOREIGN AFFAIRS TO THE BRITISH  
AMBASSADOR AT TOKYO.

[EXTRACT.]

FOREIGN OFFICE,  
TOKYO, February 21, 1917.

The Japanese Government is deeply appreciative of the friendly spirit in which your Government has given assurance and happy to note it as fresh proof of the close ties that unite the two allied powers. I take pleasure in stating that the Japanese Government on its part is fully prepared to support in the same spirit the claims which may be put forward at the Peace Conference by his Britannic Majesty's Government in regard to the German possessions in the islands south of the equator.

3. THE JAPANESE MINISTER FOR FOREIGN AFFAIRS TO THE RUSSIAN  
AND FRENCH AMBASSADORS.

[EXTRACT.]

FOREIGN OFFICE,  
TOKYO, February 19, 1917.

The Imperial Japanese Government has not yet formally entered into conversations with the Entente powers concerning the conditions of peace it proposes to present to Germany, because it is guided by the thought that such questions ought to be decided in concert between Japan and the said powers at the moment when the peace negotiations begin. Nevertheless, in view of recent developments in the general situation, and in view of the particular arrangements concerning peace conditions, such as arrangements relative to the disposition of the Bosphorus, Constantinople, and the Dardanelles, being already under discussion by the powers interested, the Imperial Japanese Government believes that the moment has come for it also to express its desires relative to certain conditions of peace essential to Japan and to submit them for the

consideration of the Government of the French Republic [Russian Empire].

The French [Russian] Government is thoroughly informed of all the efforts the Japanese Government has made in a general manner to accomplish its task in the present war, and particularly to guarantee for the future the peace of Oriental Asia and the security of the Japanese Empire, for which it is absolutely necessary to take from Germany its bases of political, military and economic activity in the Far East.

Under these conditions the Imperial Japanese Government proposes to demand from Germany at the time of the peace negotiations the surrender of the territorial rights and special interests Germany possessed before the war in Shantung and the islands situated north of the equator in the Pacific Ocean.

The Imperial Japanese Government confidently hopes the Government of the French Republic [Russian Empire], realizing the legitimacy of these demands, will give assurance that, her case being proved, Japan may count upon its full support on this question.

It goes without saying that reparation for damages caused to the life and property of the Japanese people by the unjustifiable attacks of the enemy, as well as other conditions of peace of a character common to all the Entente powers, are entirely outside the consideration of the present question.

#### 4. THE FRENCH AMBASSADOR AT TOKYO TO THE JAPANESE MINISTER FOR FOREIGN AFFAIRS.

[EXTRACT.]

FRENCH EMBASSY, TOKYO, March 3, 1917. -

The Government of the French Republic is disposed to give the Japanese Government its accord in regulating at the time of the peace negotiations questions vital to Japan concerning Shantung and the German islands in the Pacific north of the equator. It also agrees to support the demands of the Imperial Japanese Government for the surrender of the rights Germany possessed before the war in this Chinese province and these islands.

M. Briand demands, on the other hand, that Japan give its support to obtain from China the breaking of its diplomatic relations with Germany, and that it gives this act desirable significance. The consequences of this in China should be the following:

First, handing passports to the German diplomatic agents and consuls. Second, the obligation of all under German jurisdiction to leave Chinese territory.

Third, the internment of German ships in Chinese ports and the ultimate requisition of these ships in order to place them at the disposition of the Allies following the example of Italy and Portugal. According to the information of the French Government there are 15 German ships in Chinese ports, totaling about 40,000 tons.

Fourth, requisition of German commercial houses established in China; forfeiting the right of Germany in the concessions she possesses in certain parts of China.<sup>1</sup>

5. M. KRUPENSKY, RUSSIAN AMBASSADOR AT TOKYO, TO THE  
RUSSIAN MINISTER FOR FOREIGN AFFAIRS.<sup>2</sup>

TOKYO, February 8, 1917.

I never omit an opportunity for representing to the minister for foreign affairs the desirability, in the interests of Japan herself, of China's intervention in the war, and only last week I had a conversation with him on the subject. To-day I again pointed out to him that the present moment was particularly favorable, in view of the position taken up by the United States and the proposal made by them to the neutral powers to follow their example, and more particularly, in view of the recent speeches of the American minister at Peking. Viscount Motono replied that he would be the first to welcome a rupture between China and Germany, and would not hesitate to take steps in this direction at Peking if he were sure that the Chinese Government would go in that direction. So far, however, he had no such assurance, and he feared lest unsuccessful representations at Peking might do harm to the Allies. He promised me to sound the attitude of Peking without delay, and, in case of some hope of success, to propose to the cabinet to take a decision in the desired direction.

On the other hand, the minister pointed out the necessity for him, in view of the attitude of Japanese public opinion on the subject, as well as with a view to safeguard Japan's position at the future Peace Confer-

<sup>1</sup> In reply Japan promised compliance with the request to get China to break relations with Germany, adding that it had spared no effort in that direction from the beginning.

At Rome, the Italian minister of foreign affairs gave the Japanese ambassador assurance that Italy would offer no objections in the matter.

<sup>2</sup> *Manchester Guardian*, February 7, 1918, page 4.

ence, if China should be admitted to it, of securing the support of the allied powers to the desires of Japan in respect of Shantung and the Pacific Islands. These desires are for the succession to all the rights and privileges hitherto possessed by Germany in the Shantung province and for the acquisition of the islands to the north of the equator which are now occupied by the Japanese. Motono plainly told me that the Japanese Government would like to receive at once the promise of the Imperial [Russian] Government to support the above desires of Japan. In order to give a push to the highly important question of a break between China and Germany I regard it as very desirable that the Japanese should be given the promise they ask—this the more as, so far as can be seen here, the relations between Great Britain and Japan have of late been such as to justify a surmise that the Japanese aspirations would not meet with any objections on the part of the London cabinet.

## 6. SAME TO SAME.

TOKYO, March 1, 1917.

The minister for foreign affairs asked me to-day whether I had received a reply from the Imperial [Russian] Government relating to Japan's desires on the question of Shantung and the Pacific Islands, and told me that the Japanese Government would very much like to have at the earliest a promise from us on the subject.

## 7. SAME TO SAME.

TOKYO, March 21, 1917.

I communicated to-day to the minister for foreign affairs the contents of your high Excellency's telegram, and gave him a copy. Viscount Motono confined himself to the observation that he took note of my communication, and would report it to the council of ministers and the Emperor. The attitude of public opinion and the press here toward the revolution in Russia is, on the whole, sympathetic. It is regarded as a pledge of a successful prosecution of the war until complete victory has been obtained, and the end of the rule of the bureaucracy is welcomed. While paying due tribute to the Emperor's and the Grand Duke Michael Alexandrovich's patriotic acts of abdication, public opinion here expresses the hope that the new Government and the popular representatives to be summoned would not be inclined toward extreme decisions. The same attitude toward the events in Russia could be perceived in the few general words which I heard in this connection from the minister of foreign affairs.

## VI. STATUS OF SHANTUNG.

N. B.—Printed below are the articles of the treaty of peace with Germany relating to Shantung and the essential portions of the Chino-German convention, under which German rights are transferred to Japan. Chino-Japanese understandings respecting the provinces are in the Japanese ultimatum to Germany, August 15, 1914, and the subsequent declaration of war (see Japan, America and the Great War, 443-45, *A League of Nations*, I, No. 8), and the following documents as printed above:

Treaty and exchanges of notes respecting the province of Shantung, May 25, 1915, 196-198.

Exchanges of notes respecting railways and administration of Shantung, 211-213.

Understanding among the Allies respecting the Far East, 220-224.

I. TREATY OF PEACE WITH GERMANY, SIGNED AT PARIS, JUNE 28, 1919. PART IV, SECTION VIII.—SHANTUNG.

Art. 156. Germany renounces, in favor of Japan, all her rights, title and privileges—particularly those concerning the territory of Kiaochow, railways, mines and submarine cables—which she acquired in virtue of the treaty concluded by her with China on March 6, 1898, and of all other arrangements relative to the province of Shantung.

All German rights in the Tsingtao-Tsinanfu Railway, including its branch lines, together with its subsidiary property of all kinds, stations, shops, fixed and rolling stock, mines, plant and material for the exploitation of the mines, are and remain acquired by Japan, together with all rights and privileges attaching thereto.

The German state submarine cables from Tsingtao to Shanghai and from Tsingtao to Chefoo, with all the rights, privileges and properties attaching thereto, are similarly acquired by Japan, free and clear of all charges and encumbrances.

Art. 157. The movable and immovable property owned by the German State in the territory of Kiaochow, as well as all the rights which Germany might claim in consequence of the works or improvements made or of the expenses incurred by her, directly or indirectly, in connection with this territory, are and remain acquired by Japan, free and clear of all charges and encumbrances.

Art. 158. Germany shall hand over to Japan within three months from the coming into force of the present treaty the archives, registers, plans, title-deeds and documents of every kind, wherever they may be,

relating to the administration, whether civil, military, financial, judicial or other, of the territory of Kiaochow.

Within the same period Germany shall give particulars to Japan of all treaties, arrangements or agreements relating to rights, titles or privileges referred to in the two preceding articles.

## 2. CONVENTION BETWEEN THE GERMAN EMPIRE AND CHINA RESPECTING KIAOCHOW, SIGNED AT PEKING, MARCH 6, 1898.

The incidents connected with the mission in the prefecture of Tsaochau-foo, in Shantung, being now closed, the imperial Chinese Government consider it advisable to give a special proof of their grateful appreciation of the friendship shown to them by Germany. The imperial German and the imperial Chinese Governments, therefore, . . . have concluded the following separate convention:

Art. I. His Majesty the Emperor of China, guided by the intention to strengthen the friendly relations between China and Germany, and at the same time to increase the military readiness of the Chinese Empire, engages, while reserving to himself all rights of sovereignty in a zone of 50 kilometers (100 Chinese *li*) surrounding the Bay of Kiaochow at high-water, to permit the free passage of German troops within this zone at any time, as also to abstain from taking any measures, or issuing any ordinances therein, without the previous consent of the German Government, and especially to place no obstacle in the way of any regulation of the water-courses which may prove to be necessary. His Majesty the Emperor of China, at the same time, reserves to himself the right to station troops within that zone, in agreement with the German Government, and to take other military measures.

Art. II. With the intention of meeting the legitimate desire of his Majesty the German Emperor, that Germany, like other powers, should hold a place on the Chinese coast for the repair and equipment of her ships, for the storage of materials and provisions for the same, and for other arrangements connected therewith, his Majesty the Emperor of China cedes to Germany on lease, provisionally for 99 years, both sides of the entrance to the Bay of Kiaochow. Germany engages to construct, at a suitable moment, on the territory thus ceded, fortifications for the protection of the buildings to be constructed there and of the entrance to the harbor.

Art. III. In order to avoid the possibility of conflicts, the imperial Chinese Government will abstain from exercising rights of sovereignty in the ceded territory during the term of the lease, and leaves the exercise of the same to Germany within [specified] limits. . . .

Art. V. Should Germany at some future time express the wish to return Kiaochow to China before the expiration of the lease, China engages to refund to Germany the expenditures she has incurred at Kiaochow, and to cede to Germany a more suitable place. . . .

## SECTIONS II AND III.

I. The Chinese Government sanctions the construction by Germany of two lines of railway in Shantung. The first will run from Kiaochow and Tsinan to the boundary of Shantung province via Weihsien, Tsinchow, Pashan, Tsechuen and Suiping. The second line will connect Kiaochow with Chinchow, whence an extension will be constructed to Tsinan through Laiwu-hsien. . . .

II. In order to carry out the above mentioned railway work a Chino-German company shall be formed, with branches at whatever places may be necessary, and in this company both German and Chinese subjects shall be at liberty to invest money if they so choose, and appoint directors for the management of the undertaking.

III. All arrangements in connection with the works specified shall be determined by a future conference of German and Chinese representatives. The Chinese Government shall afford every facility and protection and extend every welcome to representatives of the German railway company operating in Chinese territory.

Profits derived from the working of these railways shall be justly divided *pro rata* between the shareholders without regard to nationality. The object of constructing these lines is solely the development of commerce. *In inaugurating a railway system in Shantung Germany entertains no treacherous intention toward China*, and undertakes not to unlawfully seize any land in the province.

IV. The Chinese Government will allow German subjects to hold and develop mining property for a distance of 30 *li* from each side of these railways and along the whole extent of the lines. The following places where mining operations may be carried on are particularly specified along the northern railway from Kiaochow to Tsinan, Weihsien, Pa-shan-hsien and various other points; and along the southern Kiaochow-Tsinan Chinchow line, Chinchow-fu, Laiwu-hsien, etc. . . .

All German subjects engaged in such works in Chinese territory shall be properly protected and welcomed by the Chinese authorities and all profits derived shall be fairly divided between Chinese and German shareholders according to the extent of the interest they hold in the undertakings.

In trying to develop mining property in China, *Germany is actuated by no treacherous motives against this country*, but seeks alone to increase commerce and improve the relations between the two countries.

The Chinese Government binds itself in all cases where foreign assistance, in person, capital or material, may be needed for any purpose whatever within the province of Shantung, to offer the said work or supplying of materials, in the first instance to German manufacturers and merchants engaged in undertakings of the kind in question.

In case German manufacturers and merchants are not inclined to undertake the performance of such works or the furnishing of materials, China shall then be at liberty to act as she pleases.