

JAPAN

TREATY OF SHIMONOSEKI, 1895

(Signed at Shimonoseki, 17th April 1895.)

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

His Majesty the Emperor of Japan, Count ITO HIROBUMI, Junii, Grand Cross of the Imperial Order of Paulownia, Minister President of State; and Viscount MUNEMITSU, Junii, First Class of the Imperial Order of the Sacred Treasure, Minister of State for Foreign Affairs;

And His Majesty the Emperor of China, LI HUNG-CHANG, Senior Tutor to the Heir Apparent, Senior Grand Secretary of State, Minister Superintendent of Trade for the Northern Ports of China, Viceroy of the province of Chihli, and Earl of the First Rank; and LI CHING-FONG, Ex-Minister of the Diplomatic Service, of the Second Official Rank:

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

ARTICLE I.

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

ARTICLE II.

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

(*a.*) The southern portion of the province of Feng-tien within the following boundaries:

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

This cession also includes all islands appertaining or belonging to the said province of Feng-tien situated in the eastern portion of the Bay of Liao-tung and in the northern part of the Yellow Sea.

(b.) The island of Formosa, together with all islands appertaining or belonging to the said island of Formosa.

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

ARTICLE III.

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

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

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

ARTICLE IV.

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

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

ARTICLE V.

The inhabitants of the territories ceded to Japan who wish to take up their residence outside the ceded districts shall be at liberty to sell their real property and retire. For this

purpose a period of two years from the date of the exchange of the ratifications of the present Act shall be granted. At the expiration of that period those of the inhabitants who shall not have left such territories shall, at the option of Japan, be deemed to be Japanese subjects.

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

ARTICLE VI.

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

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

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

1. Shashih, in the province of Hupeh.
2. Chungking, in the province of Szechwan.
3. Suchow, in the province of Kiangsu.
4. Hangchow, in the province of Chekiang.

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

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

1. On the Upper Yangtze River, from Ichang to Chungking.
2. On the Woosung River and the Canal, from Shanghai to Suchow and Hangchow.

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

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

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

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

In the event additional rules and regulations are necessary in connexion with these concessions, they shall be embodied in the Treaty of Commerce and Navigation provided for in this Article.

ARTICLE VII.

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

ARTICLE VIII.

As a guarantee of the faithful performance of the stipulations of this Act, China consents to the temporary occupation by the military forces of Japan of Weihaiwei, in the province of Shantung.

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

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

ARTICLE IX.

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

who have in any manner been compromised in their relations with the Japanese army during the war.

ARTICLE X.

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

ARTICLE XI.

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

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

Done at Shimonoseki, in duplicate, this 17th day of the 4th month of the 28th year of MEIJI, corresponding to 23rd day of the 3rd month of the 21st year of KUANG HSÜ.

COUNT ITO HIROBUMI, [L.S.]

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

VISCOUNT MUTSU MUNEMITSU, [L.S.]

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

LI HUNG-CHANG, [L.S.]

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

LI CHING-FONG,

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

SEPARATE ARTICLES (WEIHAIWEI)

ARTICLE I.

The Japanese military forces which are, under Article VIII of the Treaty of Peace signed this day, to temporarily occupy Weihaiwei shall not exceed one brigade, and from the date of the exchange of the ratifications of the said Treaty of Peace China shall pay

annually one-fourth of the amount of the expenses of such temporary occupation, that is to say, at the rate of 500,000 Kuping taels per annum.

ARTICLE II.

The territory temporarily occupied at Weihaiwei shall comprise the island of Liukung and a belt of land 5 Japanese *ri* wide along the entire coast-line of the Bay of Weihaiwei.

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

ARTICLE III.

The civil administration of the occupied territory shall remain in the hands of the Chinese authorities. But such authorities shall at all times be obliged to conform to the orders which the Commander of the Japanese army of occupation may deem it necessary to give in the interest of the health, maintenance, safety, distribution, or discipline of the troops.

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

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

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

Done at Shimonoseki, in duplicate, this 17th day of the 4th month of the 28th year of MEIJI, corresponding to the 23rd day of the 3rd month of the 21st year of KUANG HSÜ.

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