

6. Note No. 3 adressée par les plénipotentiaires japonais au commissaire néerlandais.

Translaat.

Aan den  
Nederlandschen Commissaris in Japan.

Het beeldrappen wordt van nu af afgeschafft, maar de invoer van Christelijke godsdienst en de invoer van Christelijke en andere vreemde godsdienstige boeken, prenten en beelden mag niet in Japan plaats hebben.

De maand Hatsigoeats, des vierden jaars van Ansei.  
(Signé comme la note No. 1.)

7. Note No. 4 adressée par les plénipotentiaires japonais au commissaire néerlandais.

Translaat.

Aan den  
Nederlandschen gezant in Japan.

Over de haven van Simoda is er gevraagd.

Daarover is men bezig te onderzoeken en nu kan geene mededeeling gedaan worden.

De maand Hatsigoeats, des vierden jaars van Ansei.  
(Signé comme la note No. 1.)

## LXII.

*Traité de paix, d'amitié et de commerce entre la Grande-Bretagne et le Japon, signé à Yédo, le 26 août 1855\*).*

Tercé origina.

Her Majesty the Queen of the United Kingdom of

\* En anglais, en hollandais et en langue japonaise. Les négociations ont été échangées à Yédo, le 10 juillet 1855.

6. Note No. 3 adressée par les plénipotentiaires japonais au commissaire néerlandais.

Traduction.

L'usage de fouler aux pieds l'image du Christ est aboli à partir de ce jour; mais l'introduction du culte chrétien et des livres traitant du culte chrétien ou tout autre culte, ainsi que des estampes et images qui y ont rapport, est défendue au Japon.

Au mois de Hatsigoeats, quatrième année d'Ansei.  
(Signé comme la note No. 1.)

7. Note No. 4 adressée par les plénipotentiaires japonais au commissaire néerlandais.

Traduction.

Relativement au port de Simoda, on a demandé des instructions.

On est occupé encore de l'examen de cette question, et on ne saurait encore faire aucune communication à ce sujet.

Au mois de Hatsigoeats, quatrième année d'Ansei.  
(Signé comme la note No. 1.)

Great Britain and Ireland, and His Majesty the Tycoon of Japan, being desirous to place the relations between the two countries on a permanent and friendly footing, and to facilitate commercial intercourse between their respective subjects, and having for that purpose resolved to enter into a Treaty of Peace, Amity, and Commerce, have named as their Plenipotentiaries, that is to say:

Her Majesty the Queen of Great Britain and Ireland, the Right Honourable the Earl of Elgin and Kincardine, a Peer of the United Kingdom, and Knight of the Most Ancient and Most Noble Order of the Thistle;

And His Majesty the Tycoon of Japan, Midzuo Tsikf-

gono Kami; Nagai Gembano Kami; Inouye Simamo no Kami; Hori Oribeno Kami; Iwase Higono Kami; and Isuda Hanzabro:

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

Art. I. There shall be perpetual peace and friendship between Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, her heirs and successors, and His Majesty the Tycoon of Japan and between their respective dominions and subjects.

Art. II. Her Majesty the Queen of Great Britain and Ireland may appoint a Diplomatic Agent to reside at the city of Yedo, and Consuls or Consular Agents to reside at any or all the ports of Japan, which are opened for British commerce by this Treaty.

The Diplomatic Agent and Consul-General of Great Britain shall have the right to travel freely to any part of the Empire of Japan.

His Majesty the Tycoon of Japan may appoint a Diplomatic Agent to reside in London, and Consuls, or Consular Agents, at any or all the ports of Great Britain.

The Diplomatic Agent and Consul-General of Japan shall have the right to travel freely to any part of Great Britain.

Art. III. The ports and towns of Hakodadi, Kanagawa, and Nagasaki, shall be opened to British subjects on the first of July, one thousand eight hundred and fifty-nine. In addition to which, the following ports and towns shall be opened to them at the dates hereinafter specified:

Nee-e-gata, or, if Nee-e-gata be found to be unsuitable as a harbour, another convenient port on the west coast of Nipon, on the first day of January, one thousand eight hundred and sixty.

Hiogo, on the first day of January, one thousand eight hundred and sixty-three.

In all the foregoing ports and towns British subjects may permanently reside. They shall have the right to lease ground, and purchase the buildings thereon, and may erect dwelling and warehouses; but no fortification, or place of military strength, shall be erected under pretence of building dwelling or warehouses: and to see

that this Article is observed, the Japanese authorities shall have the right to inspect, from time to time, any buildings which are being erected, altered, or repaired.

The place which British subjects shall occupy for their buildings, and the harbour regulations, shall be arranged by the British Consul and the Japanese authorities of each place, and, if they cannot agree, the matter shall be referred to and settled by the British Diplomatic Agent and the Japanese Government. No wall, fence, or gate shall be erected by the Japanese around the place where British subjects reside, or anything done which may prevent a free egress or ingress to the same.

British subjects shall be free to go where they please, within the following limits at the opened ports of Japan: —

At Kanagawa to the river Logo (which empties into the bay of Yedo, between Kawasaki and Sinagowa), and ten *ri* in any other direction.

At Hakodadi ten *ri* in any direction.

At Hiogo ten *ri* in any direction, that of Kioto excepted, which city shall not be approached nearer than ten *ri*. The crews of vessels resorting to Hiogo shall not cross the River Enagawa, which empties into the bay between Hiogo and Osaca.

The distance shall be measured by land from the goyoso, or town hall, of each of the foregoing ports, the *ri* being equal to four thousand two hundred and seventy-five yards English measure.

At Nagasaki, British subjects may go into any part of the Imperial domain in its vicinity.

The boundaries of Nee-e-gata, or the place that may be substituted for it, shall be settled by the British Diplomatic Agent and the Government of Japan.

From the first day of January, one thousand eight hundred and sixty-two, British subjects shall be allowed to reside in the city of Yedo, and from the first day of January, one thousand eight hundred and sixty-three, in the city of Osaca, for the purposes of trade only. In each of these two cities a suitable place, within which they may hire houses, and the distance they may go, shall be arranged by the British Diplomatic Agent and the Government of Japan.

Art. IV. All questions in regard to rights, whether of property or person, arising between British subjects

in the dominions of His Majesty the Tycoon of Japan, shall be subject to the jurisdiction of the British authorities.

Art. V. Japanese subjects, who may be guilty of any criminal act towards British subjects, shall be arrested and punished by the Japanese authorities according to the laws of Japan.

British subjects who may commit any crime against Japanese subjects, or the subjects or citizens of any other country, shall be tried and punished by the Consul, or other public functionary authorized thereto, according to the laws of Great Britain.

Justice shall be equitably and impartially administered on both sides.

Art. VI. A British subject having reason to complain of a Japanese must proceed to the Consulate and state his grievance.

The Consul will inquire into the merits of the case, and do his utmost to arrange it amicably. In like manner, if a Japanese have reason to complain of a British subject, the Consul shall no less listen to his complaint, and endeavour to settle it in a friendly manner. If disputes take place of such a nature that the Consul cannot arrange them amicably, then he shall request the assistance of the Japanese authorities, that they may together examine into the merits of the case, and decide it equitably.

Art. VII. Should any Japanese subject fail to discharge debts incurred to a British subject, or should he fraudulently abscond, the Japanese authorities will do their utmost to bring him to justice, and to enforce recovery of the debts; and should any British subject fraudulently abscond or fail to discharge debts incurred by him to a Japanese subject, the British authorities will, in like manner, do their utmost to bring him to justice, and to enforce recovery of the debts.

Neither the British or Japanese Governments are to be held responsible for the payment of any debts contracted by British or Japanese subjects.

Art. VIII. The Japanese Government will place no restrictions whatever upon the employment, by British subjects, of Japanese in any lawful capacity.

Art. IX. British subjects in Japan shall be allowed

the free exercise of their religion, and for this purpose shall have the right to erect suitable places of worship.

Art. X. All foreign coin shall be current in Japan, and shall pass for its corresponding weight in Japanese coin of the same description.

British and Japanese subjects may freely use foreign or Japanese coin, in making payments to each other.

As some time will elapse before the Japanese will become acquainted with the value of foreign coin, the Japanese Government will, for the period of one year after the opening of each port, furnish British subjects with Japanese coin in exchange for theirs, equal weights being given, and no discount taken for re-coinage.

Coins of all description (with the exception of Japanese copper coin), as well as foreign gold and silver uncoined, may be exported from Japan.

Art. XI. Supplies for the use of the British navy may be landed at Kanagawa, Hakodadi, and Nagasaki, and stored in warehouses, in the custody of an officer of the British Government, without the payment of any duty; but if any such supplies are sold in Japan, the purchaser shall pay the proper duty to the Japanese authorities.

Art. XII. If any British vessel be at any time wrecked or stranded on the coast of Japan, or be compelled to take refuge in any port within the dominions of the Tycoon of Japan, the Japanese authorities, on being apprized of the fact, shall immediately render all the assistance in their power; the persons on board shall receive friendly treatment, and be furnished, if necessary, with the means of conveyance to the nearest Consular station.

Art. XIII. Any British merchant vessel arriving off one of the open ports of Japan, shall be at liberty to hire a pilot to take her into port. In like manner, after she has discharged all legal dues and duties, and is ready to take her departure, she shall be allowed to hire a pilot to conduct her out of port.

Art. XIV. At each of the ports open to trade, British subjects shall be at full liberty to import from their own or any other ports, and sell there, and purchase therein, and export to their own or any other ports, all manner of merchandize, not contraband, paying the duties there-

on, as laid down in the tariff annexed to the present Treaty, and no other charges whatsoever.

With the exception of munitions of war, which shall only be sold to the Japanese Government and foreigners, they may freely buy from Japanese, and sell to them, any articles that either may have for sale, without the intervention of any Japanese officers in such purchase or sale, or in making or receiving payment for the same; and all classes of Japanese may purchase, sell, keep, or use any articles sold to them by British subjects.

Art. XV. If the Japanese Custom-house officers are dissatisfied with the value placed on any goods by the owner, they may place a value thereon, and offer to take the goods at that valuation. If the owner refuses to accept the offer he shall pay duty on such valuation. If the offer be accepted by the owner, the purchase-money shall be paid to him without delay, and without any abatement or discount.

Art. XVI. All goods imported into Japan by British subjects, and which have paid the duty fixed by this Treaty, may be transported by the Japanese into any part of the Empire without the payment of any tax, excise, or transit duty whatever.

Art. XVII. British merchants who may have imported merchandize into any open port in Japan, and paid duty thereon, shall be entitled, on obtaining from the Japanese Custom-house authorities a certificate stating that such payment has been made, to re-export the same, and land it in any other of the open ports without the payment of any additional duty whatever.

Art. XVIII. The Japanese authorities at each port will adopt the means that they may judge most proper for the prevention of fraud or smuggling.

Art. XIX. All penalties enforced, or confiscations made under this Treaty, shall belong to, and be appropriated by the Government of His Majesty the Tycoon of Japan.

Art. XX. The Articles for the regulation of trade which are appended to this Treaty, shall be considered as forming a part of the same, and shall be equally binding on both the Contracting Parties to this Treaty, and on their subjects.

The Diplomatic Agent of Great Britain in Japan, in conjunction with such person or persons as may be ap-

pointed for that purpose by the Japanese Government, shall have power to make such rules as may be required to carry into full and complete effect the provisions of this Treaty, and the provisions of the Articles regulating trade appended thereto.

Art. XXI. This Treaty being written in the English, Japanese, and Dutch languages, and all the versions having the same meaning and intention, the Dutch version shall be considered the original; but it is understood that all official communications addressed by the Diplomatic and Consular Agents of Her Majesty the Queen of Great Britain to the Japanese authorities, shall henceforward be written in English. In order, however, to facilitate the transaction of business, they will, for a period of five years from the signature of this Treaty, be accompanied by a Dutch or Japanese version.

Art. XXII. It is agreed that either of the High Contracting Parties to this Treaty, on giving one year's previous notice to the other, may demand a revision thereof, on or after the first of July, one thousand eight hundred and seventy-two, with a view to the insertion therein of such amendments as experience shall prove to be desirable.

Art. XXIII. It is hereby expressly stipulated that the British Government and its subjects will be allowed free and equal participation in all privileges, immunities, and advantages, that may have been, or may be hereafter, granted by His Majesty the Tycoon of Japan to the Government or subjects of any other nation.

Art. XXIV. The ratification of this Treaty, under the hand of Her Majesty the Queen of Great Britain and Ireland, and under the name and seal of His Majesty the Tycoon of Japan, respectively, shall be exchanged at Yedo, within a year from this day of signature.

In token whereof, the respective Plenipotentiaries have signed and sealed this Treaty.

Done at Yedo, this twenty-sixth day of August, one thousand eight hundred and fifty-eight, corresponding to the Japanese date the eighteenth day of the seventh month of the fifth year of Ansei Tsut sinonye mma.

(Signed) *Elgin and Kincardine.*

*Midzuo Tsikfogono Kami. Nagai Gembano Kami.*  
*Inouye Sinano No Kami. Hort Oribeno Kami.*  
*Iwase Higono Kami. Isuda Hauzabro.*