

一 文書ノ書式及旨意ハ豫メ懇親ナル談判ニ由テ之ヲ取極ムル事

一 此談判ヲ開クニ方リテ客年二月ノ覺書中ニ宣言セル憲法制度ト領事裁判ノ兩者ハ相併行スルコト能ハス云々及同様に有効ナル文字即チ該覺書付添ノ書翰ニ所謂ル立憲制度ト領事裁判ハ共ニ無期限ニ併行スルコト能ハス云々ノ箇條ヲ以テ現行諸條約ノ終了期限ヲ定ムルノ必要ヲ主張スヘシ而シテ一方ニ於テハ條約改正ニ就テハ日本ノ輿論未タ一定セスト云フ理由ヲ掲ケ之ニ由テ現今ノ談判ハ強テ之ヲ結了セシム可カラストノ口實ト爲スヘシ

一 日本ノ外交文書ニハ左ノ約束ヲ挿入スルコト最モ必要ナルヘシ即チ日本カ五箇年以後新條約ヲ締結スルニ先テチ平和的廢棄ノ權ヲ執行スルニ於テハ此文書ヲ交換シタル各國ト相互ニ最惠國待遇ノ權利ヲ享有スルコトヲ盟約スルコト又廢棄ニシテ効力ヲ有スルニ至ルトキハ我ニ於テハ平和的適法ノ商業、旅行及住居ノ爲メ該各國人ニ對シ帝國ノ全部ヲ開放スル事

一 此計畫ヲ實施スルトキハ談判ノ基礎固ヨリ一變スト雖トモ別ニ從前ノ談判ヲ中止スルノ虞ナカルヘシ何トナレ

以上ハ周藏カ在職中條約改正ニ關シ實際ニ施行シ或ハ將來ヲ期シ運籌シタルモノヲ蒐集シテ其要略ヲ筆記シタルモノナリ

明治二十四年六月十六日東京上貳番町ニ於テ記之

子爵 青木周藏

第二節 對米交渉

三八〇 明治二十三年二月二十六日

米國公使ヨリ
青木外務大臣宛

日米新條約ノ修正及上院附議問題ニ付通告ノ件

チョン・エフ・スウキフト

外務大臣子 青木周藏閣下

以書翰啓上致候陳ハ一千八百八十九年二月廿日合衆國ノ代表委員ト日本國皇帝陛下ノ代表委員トカ東京ニ於テ調印致シタル條約ハ種々重要ナル修正ヲ加ヘサル限りハ大統領ヨリ之上院ニ附セサルコトニ相成候右本日我政府ヨリ接手致候訓令ノ旨ニ從ヒ及御通知候此段得貴意候 敬具

一千八百九十年二月二十六日

青木外務大臣時代 對米交渉 三八〇

ハ將來締結スヘキ各條約ハ完全ナル完全ナル對等主義ニ基キ今ヨリ之ヲ談判スルノ餘地ヲ得レハナリ

一 右ノ如キ満足ナル終了條項ヲ取極メタル後我政府ハ直チニ一步ヲ進メテ現行稅率ノ改正ヲ要求スヘシ其際ニ方リ改正ノ理由ハ他ニ即チ現行稅率ハ業既ニ舊腐ニ屬シタルヲ以テ今日之ヲ改正スルハ正當且公平ナリト云フニ在リ國家經濟ノ本旨ニ基キ開明事業ノ擴張ヲ指示シテ談判セハ各國豈之ヲ拒絕スルノ辭柄アラシヤ但シ現行諸條約ノ繼續スル限リハ該新稅率モ亦繼續スルモノトス

此取極案ハ一定ノ時期ヲ限リ現行諸條約ヲ廢棄セント欲スルモノニ非ス寧ロ或ル年月ノ後ニハ何時ニテモ現行諸條約ヲ終了シ得ルノ權ヲ我國ニ掌握スルコトヲ計ルニ在リ故ニ我政府ニシテ一旦此權ヲ掌握シタルノ後ハ五箇年間ヲ期シ外ニ在テハ廣ク所謂萬國經濟上ノ形勢ヲ探知シ内ニ於テハ國家經濟ノ現況特ニ農工商ノ發達如何ヲ參酌シ確乎タル善後ノ籌策ヲ定メタル上内外局外者ノ干涉ヲ壓制シ不羈獨立實直ニシテ強硬正當ニシテ勇毅ナル談判ヲ以テ各國ニ當ラハ完全ナル條約得テ締結スヘキナリ

註 1 前掲對英交渉ノ次第ヲ指ス

因ニ青木子カ湖南事件ニ引責辭任シタルハ五月二十九日ナリ

東京合衆國公使館ニ於テ

(右原文)

No. 42

Legation of the United States
Tokio, February 26, 1890.

His Excellency,

Viscount Shiuzeo Aoki,

H. I. J. M's Minister for

Foreign Affairs.

Viscount:

In obedience to instructions received from my Government this day I have the honour to inform you, hereby, that the President will not send to the Senate

the Treaty signed at Tokio on the 20th of February 1889, by the Representatives of the United States and of His Imperial Japanese Majesty, without numerous and Important modifications.

I avail myself of this opportunity to renew to Your Excellency the assurances of my highest Consideration.

John F. Swift

三八一 明治三十三年三月一日 青木外務大臣ヨリ
米國公使宛

日米新條約改正問題ニ關シ照會ノ件

亞米利加合衆國特命全權公使

シヨミン・マン・スウント閣下

外務大臣子 青木 周藏

客月二十六日付貴翰接手被見致候陳ハ一千八百八十九年二月廿日日本皇帝陛下ノ全權委員ト合衆國ノ全權委員トカ東京ニ於テ調印シタル條約ハ種々ノ重要ナル修正ヲ加ヘサ限ハ大統領ヨリ之ヲ上院ニ付セサルコトニ相成候趣貴國政府ヨリ接手相成候訓令ノ趣旨ニ從ヒ御通知之段委曲承領致

in pursuance of instructions from Your Government, that the President will not send to the Senate, the Treaty signed at Tokio on the 20th February, 1889, between the Plenipotentiaries of His Imperial Majesty and the United States, without numerous and important modifications.

Acknowledging, in reply, the right of the United States to make the final ratification of the revised Treaty of 1889, dependent upon the introduction of such amendments as they may deem just and proper, and reserving in favour of the Imperial Government the same right, I beg to invite Your Government to present confidentially to His Imperial Majesty's Government the changes which they desire to introduce, and to assure them that their suggestions will receive at the hands of the Imperial Government careful and considerate attention.
I avail &c. &c. &c.

三八二 明治三十三年三月三日 米國公使ヨリ
青木外務大臣宛

青木外務大臣時代 對米交渉 三八二

候然ラン一千八百八十九年ノ新條約ハ貴國政府ニ於テ正當ト認定相成候修正ヲ加ヘタル後合衆國ニ於テ之ヲ批准スルノ權アルハ當然ニシテ我帝國政府ニ於テモ亦同様ノ權利ヲ保有致候ニ付テハ閣下ハ貴政府ニ於テ希望セラルル新修正ノ點ヲ帝國政府ハ機密ニ提出相成様御勸告有之度併セテ帝國政府ハ右提議ニ對シ周到慎重ニ考慮可致ニ付其義貴政府ハ權證相成候様致度此段回答得貴意候 敬具

(本書ハ横文ノミ發送シ和文ハ發送セズ)

(其原文)

Confidential

Department of Foreign Affairs,
Tokio, the 1st day of the 3rd
month, 23rd Year of Meiji.

His Excellency,

John F. Swift,

Envoy Extraordinary and
Minister Plenipotentiary of
the United States.

Sir:

I have the honor to acknowledge the receipt of Your Noto of the 26th ultimo, in which you announce,

日米新條約改正問題ニ關シ照會ノ件

No. 43.

Legation of the United States,
Tokio, March 3rd, 1890.

His Excellency,

Viscount Shinzo Aoki,

H. I. J. M's Minister for

Foreign Affairs.

Viscount:

I have the honor to acknowledge the receipt of your note of the 1st instant in reply to my own of the 26th ult., communicating to you, under instructions, the intention of the President of the United States with respect to the Treaty signed at Tokio on the 20th of February, 1889. In answer I beg to assure Your Excellency that I shall take pleasure in forwarding with the utmost promptness to my Government the invitation which you have thus extended to them "to present confidentially to His Japanese Majesty's Government The Changes they desire to introduce," as well as the assurances you give "that

their suggestions will receive careful and considerate attention."

My dispatch making this communication will go hence by the mail leaving Yokohama on the 8th of the present month and may be expected to reach Washington about the 5th proximo.

The long-standing friendly attitude of the United States towards Japan I have no-doubt is sufficient, without any special assurance on my part, to convince Your Excellency that the invitation, when received, will be treated with the courteous, just and prompt consideration its importance deserves.

Expressly disclaiming both for myself and my Government any pretence of a right to prescribe or in any manner to influence the course to be pursued by Japan in the sovereign act of seeking a revision of her Treaties, yet I trust it will not be taken amiss if I make certain suggestions that may tend to a more speedy adjustment of matters. With that in view, I beg to remind Your Excellency that the negotiations which led to the exchange of signatures on the 20th of February, 1889, were inaugurated and carried on

to have with Your Excellency at this Legation some time in December last, in which you expressed views tending as it seemed to me, in the same direction, leads me to think it not improbable that H. I. J. M's Government may have had other reasons for requesting of the United States that the Treaty be held in abeyance, in addition to those expressed in the telegram to Mr. Mutsu of the 13th of December last, and that in fact the Treaty of February 20th, 1889, may not at this time be entirely satisfactory to Japan. If such be the case, and not otherwise and in view of the foregoing circumstances which I have stated as bearing upon the position of the United States as to treaty revision in Japan, I venture to ask Your Excellency if it would not be likely to contribute to a more speedy understanding between the two Governments, if Your Excellency were to Communicate to my Government confidentially any change of views which may have taken in H. I. J. M's Government since the Treaty was signed, so that the President and his advisers may have the entire matter before them when called upon to accept or reject your in-

entirely at the instance and request of H. I. J. M's Government. That the United States has not at any time manifested any desire to change the Treaties as they now stand. That in consenting to any change whatever my Government has been actuated solely by a genuine and sincere wish to meet and gratify the aspirations of Japan and to aid in her progress and advancement.

I think I can safely assure Your Excellency that should my Government accept your invitation to renew the negotiations, for such I take the invitation to mean, it will not be with the desire or expectation of gaining any advantage over Japan by any change in existing Treaties.

I observe that in Your Excellency's Note, while conceding to the United States the right to make the final ratification of the Treaty of February 20th, 1889, dependent upon the introduction of such amendments as they may deem proper, you at the same time are careful to reserve in favor of the Imperial Government the same right. This circumstance taken with the recollection of a conversation which I had the honor

to have with Your Excellency at this Legation some time in December last, in which you expressed views tending as it seemed to me, in the same direction, leads me to think it not improbable that H. I. J. M's Government may have had other reasons for requesting of the United States that the Treaty be held in abeyance, in addition to those expressed in the telegram to Mr. Mutsu of the 13th of December last, and that in fact the Treaty of February 20th, 1889, may not at this time be entirely satisfactory to Japan. If such be the case, and not otherwise and in view of the foregoing circumstances which I have stated as bearing upon the position of the United States as to treaty revision in Japan, I venture to ask Your Excellency if it would not be likely to contribute to a more speedy understanding between the two Governments, if Your Excellency were to Communicate to my Government confidentially any change of views which may have taken in H. I. J. M's Government since the Treaty was signed, so that the President and his advisers may have the entire matter before them when called upon to accept or reject your in-

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to have with Your Excellency at this Legation some time in December last, in which you expressed views tending as it seemed to me, in the same direction, leads me to think it not improbable that H. I. J. M's Government may have had other reasons for requesting of the United States that the Treaty be held in abeyance, in addition to those expressed in the telegram to Mr. Mutsu of the 13th of December last, and that in fact the Treaty of February 20th, 1889, may not at this time be entirely satisfactory to Japan. If such be the case, and not otherwise and in view of the foregoing circumstances which I have stated as bearing upon the position of the United States as to treaty revision in Japan, I venture to ask Your Excellency if it would not be likely to contribute to a more speedy understanding between the two Governments, if Your Excellency were to Communicate to my Government confidentially any change of views which may have taken in H. I. J. M's Government since the Treaty was signed, so that the President and his advisers may have the entire matter before them when called upon to accept or reject your in-

Your Excellency, while dismissing it from consideration will attribute it entirely to my zeal in endeavoring to strengthen the good relations between the two countries.

I avail myself of this opportunity to renew to Your Excellency the assurances of my highest consideration.

John F. Swift

三八三 明治三十三年三月六日 青木外務大臣ヨリ
米國公使宛

新嘉坡駐在日國公使ニ送ルハテ

Department of Foreign Affairs.
Tokio, March 6th 1890.

His Excellency
John F. Swift
&c. &c. &c.

Sir:

I have had the honor to receive Your Excellency's Note of the 3rd instant, in continuation of the subject of the modifications which the Government of the

not confined to that Power which was alone directly interested in the question.

In responding to your suggestion, as I now have the honor to de, by enclosing a Memorandum, which embodies the amendments the Imperial Government have found it necessary to introduce into the depending treaty-revision proposals, and which has already been communicated to some of the Powers to whom the original project was presented, I beg to explain to you more fully than I have hitherto had an opportunity of doing, the actual intentions of the Imperial Government and I venture to hope that, whatever opinion you may entertain as to the wisdom of the present policy of H. M's Government, you will believe that that policy was dictated solely by the desire to accomplish a revision of the Treaties in the manner most satisfactory to all the Powers concerned.

At the time when the telegram to Mr. Mutsu, to which you refer, was sent, the Imperial Government were not aware what amendments, if any, to the new Treaty, were essential. They had, however, satisfied themselves that it would be impossible to

United States desire to introduce into the Treaty of 1889, before ratification, in which you suggest, while disclaiming for yourself and your Government any pretence of a right to prescribe or in any way to influence the course to be pursued by Japan in the sovereign act of seeking a revision of her Treaties, "that, in the event the new Treaty is not entirely satisfactory to the Imperial Government the confidential presentation to Your Government at this time of such amendments as H. I. M's Government may desire to insert might contribute to a speedy adjustment of the question.

The friendly assurances contained in Your Note, as well as the disclaimer to which allusion has already been made, have served to remove the painful impression and doubt as to the future policy of the United States, which, I feel justified in informing you in that spirit of frankness which is the best guarantee of a perfect accord and understanding between Government, were awakened by the fact that the official announcement of the intention of the President of the United States with respect to the Treaty, was

put the Treaty into force on the date originally designated and they consequently thought it more in harmony with good faith and direction to assign as a reason for asking that the Treaty be allowed to remain in abeyance, an actual, sufficient excuse, rather than to advance a reason which at the time existed in potentiality only.

Subsequently when it became evident that modifications were indispensable, I avowed the fact to you as you point out in your Note now under reply. I did not, however, make that avowal for the purpose of inaugurating new negotiations or reopening those that had preceded the act of February 20th 1889. The Imperial Government fully appreciated the friendly disposition that had induced the United States to conclude the new Treaty, and they thought that they could best manifest that appreciation by refraining from formally approaching Your Government with a view to obtain their consent to the desired alterations, until after progress had been made in that direction, with those Powers that had not yet signed the new Treaties. But the Imperial Government had no in-

tention of permitting the Government of the United States to remain at any time in ignorance of the actual situation of affairs.

Before, however, it was possible to put the modifications into articulate form and issue them, I was honored by your Note of the 26th ultimo. The announcement contained in that communication, in the opinion of H. I. M's Government, at once changed the situation. For the first time the Imperial Government were made aware that the United States would only accept the Treaty upon condition that numerous and important modifications were introduced. The Imperial Government were not, however, made acquainted with the nature of those modifications. But considering the comprehensive terms employed in describing them, the Imperial Government could not but assume that some of the amendments would prove to be similar to, if not identical with the alterations which they themselves wished to introduce.

Under these circumstances H. I. M's Government regarded their position, pending the presentation of those modifications which the United States wished

to make, as one of expectancy only, a position which was in their judgment, perfectly consistent with the high appreciation entertained by them of the friendly attitude of the United States.

It is a source of profound regret to me as well as to my Government, if any other interpretation of the action of the Imperial Government has suggested itself to Your Excellency or to Your Excellency's Government and the purpose of this Note will be fully subverted, if the lengthy explanation which I have deemed it proper to give tends remove any false impressions that may exist on the subject.

I avail &c. &c. &c.

三八四 明治三十三年三月一日

青木外務大臣ヨリ
佐藤駐米代理公使宛(往電)

米大統領ノ修訂案ニ關スル件

United States Minister has informed me that President will not send new Treaty to Senate without numerous and important modifications. Ask Secre-

tary of State for copy of midifications and upon their receipt telegraph summary.

(Via Peter's.) March 1, 1890. Aoki.

三八五

明治三十三年三月八日

佐藤駐米代理公使ヨリ
青木外務大臣宛

米修正案入手方ニ關シ回答ノ件

Secretary of State said modification not yet prepared, but will send them to me in a few days.

Washington, March 8, 1890. Sato.

三八六

明治三十三年三月十二日

青木外務大臣ヨリ
佐藤駐米代理公使宛

修訂案並ニ隨書ニ各國公使ニ交付シタル件

I have presented to the Representative of Powers amendments on the proposed treaty revision as follows:—

First:—Withdrawal of the two Diplomatic Notes.

青木外務大臣時代 對米交渉 三八五、三八六、三八七

Second:—Withdrawal of stipulations concerning right to possess real estate and insertion of clause giving right to hire and occupy lands, houses and warehouses for all lawful purposes.

Third:—Insertion of following reservation at the end of Article II "It is understood however that the stipulations contained in this and the preceding Article in no wise effect the laws, decrees and special regulations based upon the Sovereign Power of the State regarding administrative and police matters now in force or which may hereafter be enacted in each of the two countries and generally applicable to all foreigner." Memorandum also sent to Powers which have signed treaties for information, but not for negotiation until progress is made with the other Powers. Details per mail.

(Via Petersburg.) March 12, 1890. Aoki.

註 前出一月十日附在英、伊帝國公使宛電信三五六參照

三八七

明治三十三年三月十五日

青木外務大臣ヨリ
佐藤駐米代理公使宛

米國公使ノ態度ニ關スル件

在米

臨時代理公使 住 藤 愛 鷹 弼

外務大臣子 青 木 周 藏

送第一七四號

先般條約改正ニ關シ諸外國ニ對スル一般ノ方針ヲ揭ケ訓令ニ及置候ニ付目今帝國政府カ外國ニ對スル大體ノ位置及決意ハ疾ク御承知ノ筈ニ候然ルニ在東京米公使カ我ニ對スル舉措甚ク其意ヲ得サルモノ勢カラス就テハ日米將來ノ交渉上ニ圓滑ナラサル情態ヲ惹起スヤモ虞リ難キニ付此ニ條約改正一件ニ關シ同公使ト往復セル書類ヲ封入シ且同公使近頃ノ舉動ヲ略記シ貴官ノ參考ニ付候間熟觀照量ノ上臨機ノ材料ニ可被供候

抑々米ノ合衆國カ我ニ對スル從來ノ政策ハ勉メテ我内治權ニ干渉セス他國ノ政策如何ニ拘ラス各國對等公平ナル交際ヲ結フノ精神ニ外ナラス故ニ往年井上伯ガ外務卿タルノ時ニ米公使「ビンカム」氏ハ伯ト共ニ大ニ在東京諸外國公使ノ連合政策ヲ破フルコトニ盡力シタル事ニ有之候然ルニ

官ハ勉メテ國務省ノ意向ノ在ル所ニ注目シ果シテ舊來ノ政策ヲ變換シタルヤ否ヲ偵知シ御報道相成度候尤モ「スウキフト」氏ノ行爲ニ關シ國務省ヘ公然ト照談ニ及候時期ハ未タ到着不致歟ト被考候ニ付其義ハ再應ノ訓令差進候迄差扣相成度候

右訓令候也

註「米國公使ト往復セル書類」ハ前出三八〇以下三八三ニ付

参照

三八八

明治二十三年三月十五日

藤江米代理公使
青木外務大臣宛

日米新條約修正案入手方ノ件

第五號

四月十一日到

謹啓陳ハ本月一日付貴電ヲ以テ米國大統領ハ新條約ニ對シ數多ノ重要ナル修正ヲ加フルニアラサレハ之ヲ元老院ニ送付セサルヘキ旨在東京米國公使ヨリ貴大臣ヘ御通知申候ニ付本官ヨリ國務長官ニ向テ右修正案ノ寫ヲ請求シ領收ノ上ハ其要領ヲ御電報可致旨別紙申號寫ノ通り御下命ノ趣致承

青木外務大臣時代 對米交渉 三八八

「スウキフト」氏ハ合衆國舊來ノ政策ノ精神ニモ拘ラス連合政策ヲ恢復スルノ旨趣ヲ把持スルコトハ其實跡ニ徴シテ瞭知タルモノ、如シ即チ賣藥課稅交渉ノ起ルニ際シテハ先以テ之ヲ上席公使ニ差出シ諸公使間一般ノ問題ト爲スノ計畫ヲ施セリ又國務長官ヨリ合衆國大統領ハ新條約ニ重要ナル修正ヲ加フルニ非サレハ之ヲ上議院ニ廻付セサルヘシトノ通知ニ接シタル時モ忽チ之ヲ鞏下駐劄ノ諸公使ヘ廻示シ連合問題ト爲サント試ミタリ甚シキニ至リテハ國務長官ニ日米條約問題ニ關シ米政府カ取ル方針ハ在歐洲米公使ニ訓令ヲ降シ各歐國政府ニ通知スヘシト勸告シタリトノ風説ハ信スヘキモノ、如シ仍テ何等ノ考案ヨリ「スウキフト」氏ハ斯ノ如キ舉措ヲ爲スヤ内々偵揣スルニ全ク在北京各國公使カ支那政府ニ當ルニ連合手段ヲ以テスル以上ハ日本政府モ支那政府同様ノ取扱ヲ受ケサル可カラスト云フニ在ルカ如シ蓋シ日本ハ支那同様ノ取扱ヲ受ケサル可カラスト云フハ「カリホルニヤ」州出身人ノ習氣ニシテ米國人一般ノ思考ニ無之コトノ判然タルハ貴官モ能ク御承知有之候義ニテ特ニ我レニ不利ナルノミナラス彼ノ政府舊來ノ方針ニモ違背スルモノナレハ本大臣ニ於テ殊ニ遺憾ト存候ニ付此際貴

知候即チ去ル三日(月曜日)早速國務省ヘ罷越候處同日ハブレイン氏英露公使ト漁業條約ニ關シ會議中次官ウアルトン氏ハ他行中ニテ何レモ面會ヲ得ス候間歸館直チニ私信ヲブレイン氏ニ送り面談ノ日時ヲ豫定致吳候様申送候處同氏ノ回答ニハ目下頗ル多忙ニテ種々ノ前約有之來ル六日午前十時半マテハ寸暇無之ニ付御差支ナクハ右日時ニ御來省相度云々申越候間同日時面會致シ一應挨拶及餘談ノ末本官ブレイン氏ニ向ヒ却說本日態々御面會ヲ請ヒタルハ餘ノ義ニ無之去ル一日外務大臣ヨリ電信ニ接候處在日本貴國公使ヨリ同大臣ニ通知スルニ大統領ハ新條約ニ對シ多少修正ヲ加フルニアラサレバ之ヲ元老院ニ送付セサルヘキ旨ヲ以テセシ趣ニテ若シ貴政府ニ於テ已ニ右修正案御起草濟ニ候ヘハ帝國政府ニテ之ヲ拜見致度ニ付貴長官ニ請テ其寫ヲ貴受クヘキ旨外務大臣ヨリ本官ヘ訓令有之候云々申述候處ブレイン氏ニ答ヘテ該修正案ハ未タ起草致サス候乍去近日中ニ欣然貴官迄御送付スヘシ云々申聞候依テ本月八日付ヲ以テ別紙乙號²ノ通り電信差出候義ニ御座候猶該修正案接手ノ節ハ貴訓令ニ據リ其要領御電報可申候右申進候 敬具

明治二十三年三月十五日

臨時代理公使 佐藤 愛 磨

外務大臣子 青 木 周 藏 閣 下

註 1 及 2 三八四及三八五

三八九 明治三十三年四月一日 佐藤駐米代理公使ヨリ
青木外務大臣宛

米修正案入手方ニ關シ請訓ノ件

Secretary of State has not yet sent me his modifications to new treaty. Shall I press him notwithstanding your new amendments?

Washington, April 1st, 1890. Sato.

三九〇 明治三十三年四月八日 佐藤駐米代理公使ヨリ
青木外務大臣宛

新條約ニ對スル修正案ノ件

第九號

謹啓陳者三月十五日附第五號¹ヲ以テ上申ニ及置候新條約ニ對シ米國政府ヨリ本官ヘ修正案送付ノ義ニ付キ一方ニ於テ

ハ未タブレイン氏ヨリ該修正案送付無之又他ノ一方ニ於テハ帝國政府ヨリ從前提出シタル改正案中貴大臣ヨリ更ラニ修正ヲ要求セラレ候儀ハ去月十二日附貴電²ニ同七日送第一五〇號ノ御訓令³ヲ以テ委曲貴大臣ノ御趣意ヲ審ニ致候然ルニ右訓令書末文ニ據レハ日米兩國間已ニ調印シタル條約ニ對スル修正談判ノ儀ハ當華府ニ於テ開カルヘキ御見込ト相見ヘ當國政府ト交渉談判ノ際ニ本官ノ可相心得箇條御訓令有之儀ニ拘ハラス貴大臣ノ覺書ニ關シ當國政府ニ對シ差向キ本官如何ナル處置ヲ執ルヘキヤノ點ニ至テハ貴訓令中何等御指圖無之殊ニ右三月十二日附貴電末文ニハ「此覺書ハ已ニ條約ニ調印セシ各國ヘモ送附セリ併シ右ハ他各國トノ談判稍ヤ進歩スル迄ハ單ニ報告ノ爲メニシテ談判ノ爲メニ非ス」ト有之候ニ付キ無論ニ本官ハ更ニ御訓令ニ接スル迄ハ目下間接ト直接トナク何等ノ處置ヲ執ルニ及ハサル儀ト了解仕候

右ノ事情ノ下ニ立チ本月一日本官ヨリ別紙⁴通リ即チ「國務長官ヨリ新條約ニ對スル彼レノ修正案ヲ未タ本官ヘ送付セス貴大臣ノ新修正案ニ拘ハラス同長官ニ催促致スヘキ哉」ト電信ヲ以テ伺出テタル所以ハ今後本官ト同長官ト面

會ノ節何時同長官ヨリ貴大臣ノ修正案ニ付キ話出スヤモ難計ニ付キ其節ニ用フヘキ返答ノ方向ヲ豫メ心得居候コト必要ニ有之候何トナレハ若シ貴大臣ノ修正案ニ付談話ヲ開キ候ヘハ自然其關係上ヨリ米國政府修正案ノコトニモ談及スヘキ勢ヲ生スヘシト被存候且ツ本官ニ取テハ更ラニ御訓無

之以上ハ三月一日ノ御電訓⁵ニ據リ米國政府ノ修正案ヲ手ニ入レ候爲メ國務長官ニ向テ催促致サ、ルヲ得サル地位ニ立居候故ニ御座候將又一步ヲ進メテ愚考仕候ヘハ假ヘ暫時ノ間ハ報告ノ爲メノミニセヨ既ニ貴大臣ヨリ新修正案ヲ米國公使ニ御交付相成候以上ハ可成我力提案ニ同意ヲ求ムルコト極ハメテ緊要ナルハ本官ノ申迄モ無之此際別ニ彼レヨリ提出セントスル修正案ニ向テ催促ヲ試ムルカ如キハ得策ニ有之間敷ト存候何トナレハ双方ヨリ殆ト同時ニ別々ノ修正案ヲ提出スルトキハ互ニ其議論ヲ貫カントスルハ自然ノ勢ニシテ我力修正案ニ同意ヲ得ルノ數運^{チヤンス}ヲ減スルナキヤノ恐有之候果シテ然レハ幸ニ Deadlock ニ陥ラサルモ双方ニテ幾分ツ、カ讓歩シ談判ノ局ヲ結ハサルヲ得サルニ至ルヘシト存候
尤モ本件ニ關シテハ本書御接閣前ニ何分ノ御指令可有之ト

ハ存候得共本月一日ノ電信案出候主意説明申上度如何ニ御座候 敬具

明治二十三年四月八日

臨時代理公使 佐藤 愛 磨

外務大臣子 青 木 周 藏 閣 下

註 1 2 3 4 5 夫々三八八、三八六、三八三、三八九、三八四 参照

三九一 明治三十三年四月九日 佐藤駐米代理公使ヨリ
青木外務大臣宛

在本邦米國公使ノ態度ニ關スル件

第十一號

五月十六日到

謹啓陳ハ三月十五日付送第一七四號七貴信ヲ以テ條約改正之儀ニ付キ貴大臣ト在東京米國公使トノ間ニ往復セル公文ヲ添ヘラレ近來同公使カ合衆國舊來ノ政策ノ精神ニモ拘ハラス帝國政府ニ對シ連合政策ヲ恢復スルノ旨趣ヲ把持スルノ實跡有之候ニ付キ此際本官ハ勉メテ國務省ノ意向ノ在ル所ニ注目シ果シテ舊來ノ政策ヲ變換シタルヤ否ヤヲ偵知シ御報道可致旨且スウキフト氏ノ行爲ニ關シ國務省ヘ公然ト

照會ニ及候時期ハ未タ列着不致欺ト御考被成候ニ付キ其儀ハ再應ノ貴訓令ニ接スル迄ハ差控可申旨トモ御訓令ノ趣致承知候右ハ是迄本官ノ耳目ニ觸ル、トコロノ顯象ニ依ルモ決シテ國務省ニ於テ舊來ノ政策ヲ變換シタル結果ニアラスシテ多分スウキフト氏一己ノ意見即チ臨機ノ裁斷ヲ以テ勝手ニ相働キ居候モノト愚考仕候得共猶ホ御訓令ヲ體シ精々國務省ノ意向ニ注目シ追ル何分之儀御報告ニ可及候右貴答申進候 敬具

明治二十三年四月十九日

臨時代理公使 佐藤 愛 磨

外務大臣子 青 木 周 藏 閣 下

註 一三八七

三九二 明治二十三年五月五日

青木外務大臣ヨリ
佐藤駐米代理公使宛

條約修正問題ニ關スル件

條約改正ノ儀ニ關シ目下貴官ニ於テ米政府ニ對シ談判ノ際何等ノ心得若クハ措置ニ出テ可然裁第九號信ヲ以テ縷々御

申越相成リ委曲致承知候目下米國政府ニ對スル條約改正談判ノ儀ハ別ニ差急キ候向キニ無之孰レ時機到來スルコトアルヘク其秋ヲ待テ本大臣ヨリ特ニ訓示候趣モ可有之候ニ付其迄ハ別ニ談判ノ緒ヲ開クニ及ハス將又光方ノ修正案モ最早催促スルニ及ハス併シ先方ヨリ我修正案ニ關シ談及候ハ、充分我政府之旨趣貫徹致候様御談話相成度此段回答旁及訓示候也

三九三 明治二十三年十二月三日

佐藤駐米代理公使ヨリ
青木外務大臣宛

條約改正ノ儀ニ付紐育商法會議所決議ノ件

報告第一號

二十四年一月二十六日到

謹啓然レハ本月七日紐育“World”新聞ニ同地商法會議所ニ於テ其ノ外國貿易委員長タルエフ・ビー・ソルバル (E. B. Thurber) 氏ハ日本ニ於テ米人カ目下條約上享有スルトコロノ權利ヲ棄却スルコトニ反對シテ別紙切抜ノ如キ異議ヲ提出シ同會ノ可決ヲ經タル旨掲載有之候處右決議ノ大意ハ「當今東京ニ於テ談判中ナル條約改正ニ因テ目下外國

人カ日本ニ於テ享有スルトコロノ治外法權ヲ將ニ棄却セントスノ報アリ、日本在住ノ外國人ハ皆ナ之ニ反對シ九月十一日橫濱ニ於テ各國人四百余名集會シ治外法權棄却ニ反對セル決議ヲ採用セリ、本會議所ノ意見ハ右棄却ハ米國人ノ利益ヲ損害スルモノトス何トナレハ米國人ノ内ニテ日本開港ニ於テ不動産及其他ノ財産ヲ所持スルモノ數多アリ治外法權ヲ棄却スルノ所置ハ本會議所ニ於テ今日不得策ト考定スルカ故ニ之ニ對シテ異存ヲ申述ブシ依テ本決議ノ寫ヲ國務長官ニ進達シ至急ノ訟議ヲ依頼スヘシ云々」ト有之候右ニ付キ密カニ、ステブンス氏ヲシテ國務省ヘ模様ヲ探ラシメ候處如斯決議ニ對シテハ單ニ一ト通りノ受書(アタノレデメント)ヲ差出スニ止メ置候ハ通例ニシテ右ハ省議ヲ左右スヘキ參考材料トシテハ採用スヘキ値打アル限りノモノニハ決シテ無之旨同省要職ノ人ヨリ申聞候趣ニ御座候又右ノ内談ニモ拘ハラス元來右決議タルヤ其結論ノ基因トシテ用ヒタル前置(プレアンブル)ハ少シク事實ニ通曉シタル者一讀スル時ハ忽チ事實相違ノ度尠カラサルヲ發見スルカ故ニ隨テ自然其ノ結論タル決議モ亦タ誤謬ニ屬スルヤ明白タルヲ認許セサルヲ得ス候ニ付キ假令ヘ萬一國務省ニ於

テ一時此決議ヲ採用スルト假定スルモ將來談判上充分ニ辨駁シ得ヘキニ付キ結局何等ノ妨害ヲ爲シ得サルモノト(存候)且又條約改正ノ義ニ關シテハ近頃貴大臣英國ト御談判ノ成行等ハ毫モ承知不致殊ニ本件ニ關シ特ニ御訓令無之以上ハ漫リニ當政府ハハ論當國人ニ於テ本官ノ意見ヲ吐露シ若シ誤テ貴大臣御談判ノ方針ト齟齬スルカ如キ結果ヲ生シ候テハ不容易不都合ニ有之依テ紐育會議所員ニ向テ議論ケマシキ辨明モ出來不申將又本決議ニ關シテハ當國諸新聞中其可否ヲ論スルモノ更ラニ無之毫モ意ニ介セサル有様ナレハ此際新聞上ヲ以テ辨駁ヲ試ミ候テハ却テ平地波ヲ起スノ恐モ有之旁以テ其儘ニ差置キ申候但シ右ソルバル氏ハ藤井領事面識ノ人ノ由ニテ角立タスシテ話モ出來候人ト被存候ニ付好機會モアラバ右決議ノ前置ニアル事實相違ノ點丈ケハ程能ク辨明致シ置カレ度旨同領事ヘ申送り置キ候尙又右ソルバル氏ハ藤井領事ト私談中本件ハ在龍動 W. M. Strachan 氏ヨリ近頃橫濱外國人集會ニ於テ採用シタル決議書ヲ封入シ賛成ヲ求メ來リタルニ起因セシモノニシテ別ニ深意等ノアルモノニ無之候得ハ之ヲ打消ス丈ケノ論據ヲ得バ會議所ハ前決議ヲ取消ス事ヲ躊躇セサルヘシ云々申聞候由ニ

御座候

右及御報告候 敬具

明治二十三年十一月三十日

臨時代理公使 佐藤 愛 麿

外務大臣子 青 木 周 藏 閣 下

三九四 明治二十三年十一月九日

在紐育藤井領事ヨリ
青木外務大臣宛

紐育商業會議所本邦ノ條約改正ニ反對ノ決議ヲ
爲シタル件

附屬書 十一月七日附ワールド紙切抜

第五號

當府商業會議所ニ於テハ本邦ノ條約改正案ニ反對ノ決議ヲ
爲シタル趣ニテ本月七日當府刊行ノゼー・ワールド新聞
(The World)ニ別紙ノ通り掲載有之候間早速其向ニツキ
聞合セ候處右ハ本月六日ヲ以テ既ニ國務大臣ブレーン氏ハ
差出シタル趣ニ有之候又同會議所外國貿易事務委員長エ
ン・ビー・サルスー氏 (F. B. Thurber)ニ面會種々承リ候

F. B. Thurber, Chairman of the Committee on
Foreign Commerce and the Revenue Laws, offered
the following resolution, which was adopted:

Whereas, It is reported that negotiations are now
pending between the Government of Japan and the
United States Government for the revision of existing
treaties between the two nations, which contemplate
among other provisions relinquishing extraterritorial
rights now existing by which foreigners resident in
Japan are subject to the laws of their own country;
and

Whereas, In the judgment of this Chamber such
relinquishment would imperil the interests of Ameri-
can citizens, many of whom own real estate and other
property in the treaty ports of Japan.

Resolved, It is the judgment of the Chamber that
such action at the present time would be inexpedient
and unwise, and we respectfully but earnestly protest
against such action being taken.

Resolved, That a copy of the foregoing preamble
and resolution be forwarded to the Secretary of State,
with request for his immediate consideration.

青木外務大臣時代 對英交渉

處本件ハ倫敦レーデンホール街十八番ダブリヨ・エム・ス
トラカン (W. M. Strachan, 18 Leadenhall St. London)
ヨリ先般橫濱居留外國人集會ノ節採納セシ決議書ヲ封入シ
一書ヲ送りテ賛ヲ求メ來リタルニ起因セシモノニ有之候様
被申候尤モ本月七日刊行ノ他ノ新聞紙ニモ商業會議所決議
ノ大意ハ大概掲載致シ候得共別ニ之ニ對シ意見ヲ付シ又ハ
社説等ヲ掲ケタルモノハ見當リ不申要之ニ公衆ハ餘リ心ニ
モ留メサリシ哉ニ被存候右ニ付ヒテハ委細ハ其都度佐藤臨
時代理公使ヘ報告致シ置候得共御含迄ニ別紙切抜相添此段
申候也

明治二十三年十一月十九日 在紐育 領事 藤井三郎

外務大臣子 青 木 周 藏 閣 下

追テ前書ストラカンハ本邦ニテハ普通ニスツロト呼
ビ橫濱居留地六十三番ニ支店ヲ有シ候趣ニ承リ候此段
御參考迄ニ申添候也

附屬書

二十三年十一月七日附ワールド紙切抜

The World Nov. 7, 1890.

三九五 明治二十三年十二月一日

佐藤駐米代理公使ヨリ
青木外務大臣宛

米大統領教書ニ關スル件

President in his message to the Congress says that
while he will try to prevent undue discrimination
against American interests, he hopes legitimate ex-
pectation of Japan regarding treaty revision may be
satisfied.

Sato.

Washington, Dec. 1st, 1890.

Perersburg, " 2nd, "

Tokio, " 3rd, "

三九六 明治二十三年十二月三日

佐藤駐米代理公使ヨリ
青木外務大臣宛

十二月一日大統領ヨリ國會ヘ差出シタル教書中

日米條約改正ニ關シ告知ノ件

附屬書 米國大統領教書抜萃

第二十一號

一月九日到

謹啓陳者本月一日大統領ヨリ國會ヘ差出シタル教書中日米

七七一

條約改正ノ儀ニ付告知ノ大要ハ不取敢同日附電信ヲ以テ別紙甲號ノ通り申進置處右別紙乙號ノ通り敎書明文ニ基キ大意御報知申上候儀ニ付キ右封入差進候 敬具

明治二十三年十二月三日

臨時代理公使 佐藤 愛麿

外務大臣子 青 木 周 藏 閣 下

附屬書

米國大統領敎書抜萃

The Extract from the President's
Annual Message to the Congress,
December 1st 1890.

The revision of our treaty relations with the Empire of Japan has continued to be the subject of consideration and of correspondence. The questions involved are both grave and delicate; and while it will be my duty to see that the interests of the United States are not by any changes exposed to undue discrimination, I sincerely hope that such revision as will satisfy the legitimate expectations of the Japanese Government, and maintain the present and long existing friendly relations between Japan and the United States,

tes, will be effected.

三九七 明治二十三年十二月二日

佐藤駐米代理公使ヨリ
青木外務大臣宛

日米條約ハ華府ニ於テ談判スルヲ

得策トスルノ意見申報ノ件

第二十號

二十四年一月九日到

謹啓陳者日米兩國間條約改正ノ儀ニ付キ近頃參事官スチブ・メス氏ハ本官ト協議ノ上當國務省要職ノ官吏ニ就キ極々内密ニ探リ得タル事情委シク貴大臣ニ上申スヘキハ本官ノ職ト存候ニ付キ今日迄聞取リタル事柄ヲ左ニ開陳仕リ併セテ不肖淺見ヲ顧ミス敢テ本官ノ意見ヲモ具申仕候間篤ト御考案ヲ賜ハリ候ヘハ幸甚ニ御座候

數週間前ニ國務長官ブイ・ン氏カ將サニ日米兩國間條約改正ノ件ニ着手セント致シ居ルトノ内報ニ接シ候右ハ左ノ事情ヨリ起因セシ事ト被存候即チ在東京米國公使スウキフト氏ハ長ラク當國務省ニ向テ條約改正ニ付キ其ノ日本政府ニ對シテ如何ナル地位ヲ占メ可然ヤノ義ニ關シ頻リニ訓令ヲ請ヒタル趣ニ有之候處本件ニ關シ同氏ト國務省トノ間ニ誤解

ノ差別ヲ加ヘタリ云々論評セシハ恰モ明治十五年ノ豫議會ニ於テビンガム氏ノ使用シ其後ハバルド氏ノ襲用シタル議論ヲ其儘祖述セシモノ、如クニ御座候

右ノ通信ノミニテハ國務省ニテ差急キ確定ノ意見ヲ述フヘキ必要ヲ見サル筈ニ有之候處其後同氏ノ重ネテノ報告ニ日本ハ將ニ英國ト條約ヲ締結セントスルノ場合ニ差迫リ且ツ右報告ヲ載セタル同氏ノ書信華府ニ到着スル前ニ調印ノ運ニ至ルヘシト思考スル旨申送候ニ付キ當政府ニテモ等閑ニ附スル能ハス大ニ其注意ヲ惹起シ遂ニ當政府ヲシテ其ノハバルド條約殊ニ稅率ニ對スル或ル異存ヲ申述フヘキ旨スウキフト氏ヘ訓令ヲ下スニ至ラシメ候由蓋シ右訓令ノ精密ナル文言ハ無論ニ知ルコト能ハス候得共右ハ合衆國政府ヲシテ該稅率ニ反對スルノ地位ニ固執セシメス唯タ意見ノ交換ヲ促スノ目的ニ外ナラスシテ敢テ合衆國カ改正稅率ニ對シ調和ヲ遂ケ能ハサル程ニ深キ異存アルノ意味ニハ無之趣内密ノ保證ヲ得申候

日本ハ將ニ英國ト條約ヲ締結セントスルトノ報告ハ合衆國政府ヲシテ日本ハ先ツ右條約及他ノ條約國ト同様ノ條約ヲ締結シ終リタル後ニ合衆國ニ向テ討議ヲ用ヒスシテ同一ノ

條款ニ同意スヘキヲ要ムルナラントノ掛念ヲ超サシメタルヤ明瞭ニシ之レ過日スチブンス氏ニ向テハバルド條約ニ載セタル稅率ハ英國トノ條約中ノ一部分ト成リ居ルヤ否ト内密ニ問合セタルモ多分右ノ掛念ヨリ超因セシモノト被存候然ニ之ニ對シスチブンス氏相答候ニハ英國トノ條約ノ所載ニ關シテハ何モ承知不致作去從來日本政府ハ毎ニ改正稅率ヲ變更セシテ其儘ニ同意アルヘキヲ要求シ固ク執テ動かサル意向ナレハ今日俄カニ其意向ヲ變スヘキ理由アルヲ知ラスト申聞ケ且ツ此好機會ヲ利用シテ一己人ノ資格ヲ以テ私ニ説明シテ曰ク該稅率ハ合衆國ニ關係スル點ヨリ見ルトキハ實ニ非常ニ注意ヲ加エテ商議ヲ遂ケタル結果ヲ表スルモノニシテ決シテ米國ノ輸入品ニ對シテ不公平ノ負擔ヲ課セス却テ之ニ反シ米國輸入品ハ著シク寛容ノ取扱ヲ受ケタリト言フテ可ナル程ナリ例セハ石油ノ稅額ノ如キハ數年間其問題ニ討議ヲ盡シタル末始メテ決定ニ至リタルモノニシテ如何セハ日本政府ニ於テ尙ホ一層ノ讓歩ヲ爲シ得ヘキヤノ理由ヲ見ルニ苦シミタリ尤モ本件ヲ熟知セサル人ニハ或ハ米國輸入品ニ對シテ多少差別アルカ如ク見ユルヤモ難計ケレトモ右ハ本件ニ關スル事實ヲ取調フルトキハ速ニ其ノ

第二、當政府ニテ裁判權及其他ノ問題ハ左マテ緊要ト認メサルカ如シ隨テ若シ他各國ニテ我カ提案ニ同意スルノ場合ニ於テハ當政府ヲシテ之ニ同意セシムルコトハ比較的ニ容易ナルヘシ

第三、當政府カ日本ハ先ツ英國其他諸國ト條約ヲ締結シ終ル迄合衆國ヲ度外ニ置キ然ル後ニ合衆國ニ向テ討議ヲ用ヒスシテ同様ノ條款ニ同意ヲ要ムルナラントノ掛念ヲ有スルモノニシテ而シテ此掛念タルヤ國ノ名譽ヨリ起因シ且ツ從來合衆國ハ帝國ニ對シテ拔群ノ親交友誼アリト公言シ居ルモノナレハ此際機ニ投シ速ニ條約ヲ締結スルニ於テハ其ノ名譽ヲ保護スル爲メハ勿論幾分カ其公言ノ手前モアリテ右掛念ハ米國ヲシテ我レニ利益アル約款ニ同意セシムヘキ一大助ケタルヘシ

第四、日米條約ノ締結ニ關シ我レノ最モ憂フヘキモノハ合衆國政府カ充分ノ審査熟考ヲ盡サス唯タ日本ニ對シテ餘リ懇親ナラサル其日本ニ在ル代理者ノ報告ヲ徹頭徹尾信用シテ稅率ノ採用ニ反對スル地位ニ流レサルヤノ一事ニシテ如斯キ代理者ノ謬言ハ國務省ヲシ

然ラサルヲ知ルヘシ約リ篤ト事情ヲ攻究セハ日本ハ出來ル丈ケノ讓與ヲ爲シタルコト明白ナリ蓋シ石油ノ課稅タルヤ該商業ハ容易ニ之レヲ負擔シテ尙ホ日繁昌シ日本政府ハ之ニ以テ其ノ從來非常ニ必要ヲ感シタル歲入ヲ闕稅ヨリ收メ得ルカ故ニ之ヲ課シタルナリ而シテ英國ノ輸入品タル生金中其他ノ物品ニ對シテ右同様ノ規則ニ基キテ課稅セルハ勿論ニシテ決シテ何レノ邦品ノ輸入品ニ向テモ差別ヲ立デサルヤ明ナリ云々

右ノ如ク内々説明ヲ爲セシ目的ハ若シ出來ナラハ當政府ヲシテ我カ利益ニ害アル大早計誤謬ノ判斷ヲ下スコトヲ一時見合セシメントノ意ニ出候義ニ御座候

以上陳述ノ事情其他耳目ニ觸レタル事情柄ヨリ推考スル件ハ本官左ノ如キ結論ヲ下スモ敢テ失當ニ無之儀ト信用仕候第一、米國政府ハ其輸入品特ニ石油ニ對シ日本ニテ不公平ノ高稅ヲ課シ差別ヲ立テタリト改正輸入稅率ニ向テ最モ甚シク反對ヲ試ムヘシ右ハ内密ニ國務省ニテ開得タルノミナラス本月一日付拙電並ニ本日附ノ第二十一號信ヲ以テ上申ニ及ヒタル大統領敎書ノ主意ニ明瞭ナリ

テ好マシカラサル地位ニ立タシムルノミナラス右代理者出先キノ所置ハ如何ニ不理ナルモ保護ノ出來得ヘキ限リハ國務省ヨリ其所置ニ對シ保護ヲ與フヘキハ自然ノ勢ニシテ談判ノ圓滑ナラサルヤ之ヲスコツト、エマルシヨシ事件ニ鑑テ知ルヲ得ヘシ

第五、國務長官ブレイン氏ハ寧ロ自カラ該條約ニ記名セント欲スル希望ヲ懷キ居ルモノ、如シ依テ若シ帝國政府カ直接ニ當政府ニ掛合ヒブレイン氏ニ於テ親シク百般ノ事情ヲ十二分ニ了解セハ同氏ハ多分稅率ニ同意スヘシト愚考仕候

前述ノ次第ニ付キ若シ貴大臣ニ於テ在華府帝國代理者ヲシテ速ニ當政府ニ向テ日米條約改正ニ關シ直接之談判開カシメ候ハ、帝國ノ爲メ利益不尠ル結果ヲ得ヘキ儀ト奉存候右及上申候 敬具

明治二十三年十二月三日

臨時代理公使 佐藤 愛 磨

外務大臣子 青 木 周 藏 閣 下