

#### 第四節 東支鐵道管理ニ關スル米國試案討議

一月二十  
日第二回  
專門分科  
委員會

一月二十日東支鐵道專門分科會第二回會議ヲ開ク議長先ツ各委員ニ配布シタル左記東支鐵道監督ニ關スル米國試案ニ付各委員ノ意見ヲ求メタリ

米國試案

The three principal problems involved in the preservation and continual efficient operation of the Chinese Eastern Railway are;

1. Finance.
2. Operation.
3. Police.

(1) As to the first, it is to be observed that funds will be obtained from bankers and other outside sources only if suitable conditions are established for the economical operation of the railway and if the funds provided are to be expended under suitable supervision. To provide such supervision a Finance Committee should be instituted at Harbin, to consist of one representative of each of the Powers here represented (so far as they might care to participate). This Committee could replace the so-called Inter-allied Committee now established at Vladivostok and the so-called Technical Board at Harbin. It should exercise general financial control and be entrusted with the exercise of the trusteeship which was assumed in 1919 and which cannot be discharged until the establishment of a recognized Russian Government.

(2) As to operation, in order to disturb as little as possible the normal situation, this should be left in the hands of the Chinese Eastern Railway Company, the Finance Committee not to interfere with the techni-

cal operation of the railway, except so far as may be necessary to meet the conditions stated, in the first sentence of Paragraph 1.

(3) The protection of the railway property and the maintenance of public order within the railway zone are of fundamental importance. Conditions in this regard are at present not satisfactory. It is necessary to provide a dependable and effective police force or gendarmerie. As the railway zone lies within Chinese territory, this could be made to consist, if China so desired, of Chinese; but it would be essential that the gendarmerie should be paid by and remain under the control of the Finance Committee, as this body would be responsible under the trusteeship for the preservation of the property of the railway and the maintenance of conditions suitable to unhampered operation.

(右譯文)

東支鐵道ノ維持及有效ナル繼續の運用ニ包含セラルル主要問題ハ次ノ三ナリ

- 一、財 政
- 二、運 用
- 三、警 察

一、第一ノ點ニ關シテ注意スヘキハ同鐵道ノ經濟的運用ニ關スル適當ナル條件設定セラレ且ツ本項規定ノ資本カ適當ナル監督ノ下ニ消費セラルル場合ニ於テノミ資本ハ銀行家其ノ他外部ノ財源ヨリ之ヲ仰クコトヲ得ヘキコト之ナリ但シ右監督ノ爲メニ本會議參列國中參加ノ意アルモノノ代表者各一名ヨリ成ル一ノ財政委員會ヲ哈爾濱ニ設置スヘシ該委員會ハ現ニ浦潮斯德ニ在ル聯合國々際委員會及哈爾濱ニ在ル技術部ニ代ルコトヲ得該委員會ハ一般の財政管理ヲ行ヒ且ツ千九百十九年中引受ケラレ且ツ承認ヲ得タル露國政府ノ樹立迄解任セラルルコトナキ受托事務ノ執行ヲ委托セラ

三、鐵道財産ノ保護並鐵道地帯内ニ於ケル公序ノ維持ハ根本的緊要事ナリコノ點ニ關スル狀態ハ現在ニ於テ満足ナラス  
依ツテ信頼シ得ヘク且ツ有效ナル警察隊又ハ憲兵隊ヲ配置スルノ要アリ而シテ鐵道地帯ハ支那領土内ニ在ルヲ以テ支  
那ノ希望アルニ於テハ右ハ支那人ヲ以テ之ヲ組織スルヲ妨ケス但シ財政委員會ハ其ノ受托權限ニ基キ鐵道財産ノ保存  
並圓滑ナル運行ニ適當ナル狀態ノ維持ニ付キ責任ヲ有スルモノナルヲ以テ右憲兵隊ハ該委員會ヨリ其ノ給與ヲ受ケ且  
ツ其ノ支配ニ屬スルコトヲ要ス

之ニ對シ支那委員ハ米國試案中「Trusteeship」ノ字句ニ對シ前同ノ會議ニ於ケル其ノ陳述ニ基キ之ヲ arrangement ト改メンコトヲ提議シタル處米國委員ハ「arrangement」ハ trusteeship ノ意味ヲモ包含セリ何トナレハ協定ノ結果 trusteeship ヲ生スルニ至ルヲ以テナリ而シテ聯合國ハ其ノ一度引受ケタル責任ヲ回避スルヲ得ス」ト述ヘタルニ支那委員ハ強テ之ヲ爭ハサリキ

ト答ヘタリ

右第二回専門分科會ノ決定ニ基キ分科委員會議長「ブール」氏ハ總委員會ニ對スル報告案ヲ作成シ一月二十一日之ヲ各國委員ニ送付シテ支那以外各國委員ノ承認ヲ得タルカ支那委員ハ前記第二回會議ニ於ケル留保ヲ繰返ヘシタルヲ以テ議長ハ同報告ニ支那委員ノ陳述書ヲ附シテ總委員會ニ提出セリ右總委員會ニ對スル専門分科委員會ノ報告次ノ如シ

The Chinese Eastern Railway being an indispensable factor in the economic development of Siberia, as

well as Northern Manchuria, and constituting an essential link in a trans-continental railway system of international importance, the nations represented at this Conference are interested in its preservation, its efficient operation, and its maintenance as a free avenue of commerce, open to the citizens of all countries without favour or discrimination.

The status of the Chinese Eastern Railway is determined by the contract concluded in 1896 between China and the Russo-Chinese (Russo-Asiatic) Bank and the contract concluded in 1898 between China and the Chinese Eastern Railway Company, and subsequent contracts between China and that Company. The necessary funds for its construction were furnished by the Russian Government and it was built under the direction and supervision of that Government, acting through the Chinese Eastern Railway Company.

The railway is in effect the property of the Russian Government. China has certain ultimate reversionary rights which are provided for in the original contract of 1896.

The absence of a recognized Russian Government since 1917 has made imperative for some time past certain measures providing for the preservation and continued operation of the railway. Early in 1919—as a consequence of assistance which has been given to Russia, at her request, in the operation of the entire trans-Siberian system, including the Chinese Eastern Railway—certain powers, which are represented at this Conference, undertook to continue this assistance upon definite terms. An agreement was concluded in January, 1919, between the United States and Japan, under the terms of which China, France, Great Britain and Italy subsequently co-operated. The fundamental purposes of the arrangement thus brought about was explicitly declared to be the temporary operation of the railways in question with a view to their ultimate return to those

in interest without the impairing of any existing rights.

The trusteeship thus assumed continues in force, changes which have intervened since 1919 render necessary readjustments in its mode of operation.

The three principal problems are:

1. Finance.
2. Operation.
3. Police.

1. As to the first, it is to be observed that funds will be obtained from bankers and other outside sources only if suitable conditions are established for the economical operation of the railway and if the funds provided are to be expended under suitable supervision. But a suitable manner of providing such supervision, in the opinion of the committee, would be to establish at Harbin a finance committee, to consist of one representative each of the Powers represented at the conference (as far as they might care to participate). This committee could replace the so-called Inter-allied Committee now established at Vladivostok and the so-called Technical Board at Harbin. It should exercise general financial control and be entrusted with the exercise of the trusteeship which was assumed in 1919 and which can not be discharged until the general recognition by the powers of a Russian Government.

2. Its operation, in order to disturb as little as possible the normal situation, this should in the opinion of the committee be left in the hands of the Chinese Eastern Railway Company, the finance committee not to interfere with the technical operation of the railway, except so far as may be necessary to meet the conditions

stated in the first sentence of Paragraph 1.

3. The protection of the railway property and the maintenance of public order within the railway zone are of fundamental importance. In order to assure these, it is necessary to provide a dependable and effective police force or gendarmerie. As the railway zone lies within Chinese territory, this could be made to consist, if China so desired, of Chinese; but it would be essential in the opinion of the committee, that as a temporary and exceptional measure, justified alike by existing conditions and the precedent of a Russian guard at this police or the gendarmerie should be paid by and remain under the control of the finance committee, as this body would be responsible under the trusteeship for the preservation of the property of the railway and the maintenance of conditions suitable to unhampered operation.

#### OBSERVATIONS AND RESERVATIONS MADE BY DR. HAWKLING YEN, CHINESE REPRESENTATIVE ON THE SUB-COMMITTEE ON THE CHINESE EASTERN RAILWAY.

In view of the great importance attached by the Chinese Government to the Chinese Eastern Railway and in view of some points in the Report in which he regretted that he was unable to concur, the Chinese Representative on this Sub-Committee was constrained, with the permission of the Chairman of the Sub-Committee, to make a few observations and reservations.

The construction of this Railway by the Russians was obviously for a strategic purpose and therefore political in nature. The very fact that this line runs through the Chinese territory gives China additional interest peculiar to that country alone. For its construction the Chinese Government paid the sum of 5,000,000

kuping taels to the Russo-Chinese Bank, and the Railway Company was to pay the Chinese Government a sum of 5,000,000 kuping taels upon the completion of the Railway, which still remain unpaid.

The recent political disorder in Russia necessitated the conclusion of an agreement by which the Chinese Government for the time being undertook to assume the responsibilities on behalf of Russia respecting the Railway in the similar manner as the Chinese Government has done with respect to the Russian Concessions in Tientsin and Hankow. It should be understood that in doing so China did not intend to seek any undue advantage out of the present situation in Russia but rather to exercise the rights of a sovereign state within whose territory the Railway runs and also because of the deep interest in which she is involved.

It may also be observed that the Agreement made in 1919 among Six Powers referred to in the Report was expressly stated to be a temporary arrangement and was to come to an end when the foreign military forces were withdrawn from Siberia.

Of the three measures proposed in the Report, the Chinese Representative found it very difficult to agree to the measures 1 and 3. With respect to measure 1, in view of the existing administrative organization and operation, he felt that it would be very difficult for China to agree to the general financial control and the exercise of trusteeship as stated in the Report and with respect to measures 3, he doubted the propriety, not to say the advisability, of putting to be set up, as the police or gendarme is a state force. In this connection, it may also be pointed out that the precedent of a Russian guard has no legal ground as it was expressly stipulated in the Agreement of 1896 that it was the Chinese Government which was to take measures to assure the safety of the Railway and of the persons in its service. Under such circumstances, the Chinese Representative had to make reservations with respect to these two measures.

However, in making these remarks, the Chinese Representative does not wish to be understood that he is not aware of the fact there is room for improvement with respect to this Railway. He is of the opinion that the Chinese Government will welcome friendly assistance of foreign Powers and may be prepared to discuss of the Railway in so far as not inconsistent with the recognition of its political rights.

(右譯文)

#### 東支鐵道ニ關スル専門分科委員會報告

東支鐵道ハ西北利亞並北滿州ノ經濟的發展ニ缺クヘカラサル要素ニシテ且ツ國際的ニ重大ナル大陸橫斷鐵道系ノ須要ナル連絡環タルヲ以テ同鐵道ノ維持有效ナル運行及總テノ國民ニ對シ特惠若ハ差別無ク開放サレタル自由商路トシテ之ヲ保持セムコトハ本會議參加諸國ノ利害ヲ感スル所ナリ東清鐵道ノ事態ハ一八九六年支那ト露清(露亞)銀行トノ間ニ締結サレタル契約一八九八年支那ト東清鐵道會社トノ間ニ締結サレタル契約及其ノ後支那トノ間ニ締結サレタル諸契約ニ依リ定メラレタリ同鐵道ノ建設ニ必要ナル資金ハ露國政府ヨリ供給セラレ同政府ハ東清鐵道會社ヲ介シテ之ヲ建設ヲ指揮監督セリ同鐵道ハ實際上露國政府ノ財産ナリ支那ハ一八九六年ノ最初ノ契約ノ規定ニ依リ或ル終局的復歸權ヲ有ス一九一七年以來露國ニ列國ノ承認セル政府ノ存在セサリシコトハ過去若干年間同鐵道ノ維持及運行ノ繼續ノ爲何等カノ手段ヲ講スルヲ緊要ナラシメタリ一九一九年初頭本會議ニ參加スル數國ハ曩ニ露國ノ依頼ニヨリ東支鐵道ヲ含ム全西北利亞橫貫鐵道系運行ニ對シ同國ニ援助ヲ與ヘタル結果トシテ的確ノ條件ノ下ニ右援助ヲ繼續スヘキコトヲ約セリ一九一九年一月日米間ニ一協約ヲ締結シ次テ支、佛、英、伊ノ諸國ハ右條件ノ下ニ協力スルコトナレリ恣クシテ出來セル協定ノ根本目的ハ前記諸鐵道ノ一時的運行ニアリテ結局ハ既存諸權利ヲ毀損スルコトナクシテ之ヲ利害關係者ニ返還スルニ在ルコト明確ニ宣明セラレタリ右受託任務ハ今尙有效ニ繼續スルモ一九一九年以來發生セル事態ノ變化ハ其ノ運用方法ヲ更メテ調査スルヲ必要ナラシム

#### 三個ノ主要問題左ノ如シ

- 一、財政
- 二、運行
- 三、警察

第一ノ問題ニ關シ茲ニ說示ノ要アルハ同鐵道ノ經濟的運行ニ對シ適當ナル條件確定セラレ且ツ供給セラレタル資金カ適當ナル場合ニ於テノミ資金ノ供給ヲ銀行其ノ他外部ヨリ仰クソ得ヘキコト之ナリ而シテ本委員會ノ意見ニ依レハ右監督實施ノ適當ナル方法ハ本會議參加國代表者各一名ヨリ成ル財政委員會ヲ哈爾濱ニ設置スルニ在リ右委員會ハ現ニ浦潮ニ設置セラレ居ル所謂聯合國委員會並哈爾濱ニ於ケル所謂技術委員會ニ代ハラシムルヲ妨ケス同委員ハ一般的財政管理ヲ爲シ且ツ一九一九年開始セラレ承認セラレタル露國政府樹立迄解任セラルコトヲ得サル委任管理ノ行使ヲ委託セラルヘキモノトス

第二 本委員會ノ意見ニ依レハ鐵道ノ運行ハ出來得ル限り常態ヲ紛更セサル爲之ヲ東支鐵道會社ニ委ネ置キ財政委員會ハ第一項冒頭ノ條件ヲ滿タス爲必要アル外鐵道ノ技術的運行ニ一切干涉セサルヘキモノトス

第三 鐵道財産ノ保護並鐵道地帯内ノ秩序維持ハ根本的緊要事タリ右確保ノ爲ニハ信頼シ得ヘキ有效ナル警察隊又ハ憲兵隊ノ設置ヲ必要トス右鐵道地帯ハ支那領土内ニ在ルヲ以テ支那ニ於テ希望スルニ於テハ右ハ支那人ヲ以テ組織スルコトヲ妨ケス然レトモ本委員會ノ意見ニ依レハ右警察若クハ憲兵ハ現在ノ事情及露國守備隊ノ先例ニ鑑ミ是認セラルヘキ一時的例外的措置トシテ財政委員會ヨリ其ノ給與ヲ支辨シ且ツ該委員會ノ支配ニ屬スルコトヲ要ス何トナレハ該委員會ハ其ノ委任管理任務ニ置キ鐵道財産ノ保存並障礙ナキ運行ヲ可能ナラシムル狀態ノ維持ニ責任アルヲ以テナリ

#### 東支鐵道専門分科委員會ニ於ケル支那委員ノ所見及留保

東支鐵道ハ支那政府カ甚タ重ヲ置ク所ナルニ顧ミ並ニ専門分科委員會ノ報告中ニハ不幸ニシテ同意シ能ハサル點アルニ

願ミ本専門委員會ニ於ケル支那代表者ハ茲ニ議長ノ許可ヲ得テ聊カ所見ヲ開陳シ留保ヲ爲スノ必要ヲ感ス  
露國カ本鐵道ヲ建設シタルハ明ニ戰略上ノ目的ニ出ツルモノニシテ從テ政治的性質ヲ有ス本線ハ支那ノ領域ヲ通過スル  
カ故ニ支那ハ之ニ對シ特殊ノ利害關係ヲ有ス支那政府ハ鐵道建設ノ爲ニ露西亞銀行ニ對シ五百萬庫平兩ヲ支拂ヒ本鐵道  
竣工ノ上ハ同鐵道會社ハ支那政府ニ對シ五百萬庫平兩ヲ支拂フヘキ筈ナルモ右ハ現ニ未拂ナリ最近露國政變ニ依リ支那  
政府ハ一ノ協約ヲ締結シ之ニ依リテ支那政府ハ天津及漢口ニ於ケル露國コンセツションニ關シテ爲セルト同様本鐵道ニ  
關シ露國ニ代リテ責任ヲ引受クルノ已ムナキニ至リタルモ右ハ露國現狀ニ乘シ不當ノ利益ヲ貪ラントスルモノニ非ス唯  
支那ハ鐵道ノ通過スル地域ノ主權國ニシテ之ニ對シ重大ナル利害ヲ有スルヲ以テ其ノ權利ヲ行使セントスルニ過キス尙  
報告案中ニ掲ケタル一九一九年ノ六國間ノ協結ハ暫定協定ニシテ外國軍隊ノ西比利亞撤兵ト共ニ終了スヘキモノナリ  
報告案中第一及第三項ハ支那委員ニ於ハ同意スルコト困難ナリ右ニ就キ第一項ニ關シテハ同鐵道ノ管理組織及運行ノ現  
狀ニ鑑ミ支那ハ一般の財政管理及委任管理ノ行使ニ同意スルコト甚タ困難ナリ又其第三項ニ關テハ警察若クハ憲兵ハ國  
家ノ強制ナルカ故ニ之ヲ混合委員ノ監督ノ下ニ置クノ妥當ナルヤヲ疑フ茲ニ附言スヘキハ一八九六年ノ協約中ニハ支那  
カ鐵道及從業員ノ安全ヲ保障スル手段ヲ執ルヘキコトヲ明記セルカ故ニ露國守備兵ノ先例ハ何等法律上ノ根據ヲ有スル  
モノニ非ス如上ノ事情ニ依リ支那委員ハ右二項ニ對シ留保セサルヲ得ス然レトモ餘地アルコトヲ認ムルヲ以テ外國ノ友  
好的援助ヲ歡迎シ支那ノ政權ノ承認ト兩立スル限リハ何時ニテモ本鐵道ニ關スル技術及財政ニ關スル該事項ノ討議ヲ爲  
スヲ辭セス

## 第五節 分科委員會ニ於ケル討議

### (一) 分科委員會設置

前記専門分科會報告ハ一月二十三日極東總委員會第二十四回會議ニ於テ朗讀セラレタルカ「ヒューズ」氏ハ之ニ關シ「右報  
告ハ各國ノ専門家ヨリ成ル特別委員會ニ於テ討議ノ結果成レルモノナルカ斯ノ如ク支那側ト他ノ各國トハ其ノ意見著シク  
相違セル處此際討議ノ進捗ヲ計ル爲更ニ各國全權ノ一人ヲ以テ組織スル分科會ヲ開キ特ニ本件支那側ト各國トノ意見相違  
ノ點ヲ審議セシメ何等カ調節ノ方法ヲ講シ本會ニ報告セシムルコト然ルヘシ」ト提議シタルカ全會異議ナク分科委員會附  
託ニ決セリ右ノ結果設置セラレタル東支鐵道分科會ノ各國委員次ノ如シ

各國委員	姓名
日本	埴原全權
米國	「ルト」氏
英國	「ゲデス」氏
佛國	「サロー」氏
伊國	「アルベルチニ」氏
白蘭	「カルテイ」氏
蘭國	「ベーラーツ」氏
葡國	「ジアスコンセロス」氏
支那	顧維鈞氏

### (二) 支那側及佛國側決議案討議