

NOTE ON THE DISSOLUTION OF THE PROVISIONAL GOVERNMENT
OF TIENHSIN

This document is the Note of the Representatives of the five Powers France, Germany, England, Italy addressed to Prince Ch'ing, Chinese Plenipotentiary, under date of July 15, 1902, taken from the "Treaties and Agreements with and concerning China, 1894-1919," compiled and edited by MacMurray, edition of 1921, pp. 278 - 284.

In connection with the handing back to the Chinese authorities of the administration of Tientsin (as to which see For. Rel. of the U. S., 1902, pp. 184-201), the representatives of the five Powers maintaining the provisional government of that port (namely, France, Germany, Great Britain, Italy and Japan) addressed to the Chinese Government, under date of July 15, 1902, identical notes of the following tenor:

"I have the honor to acknowledge the receipt of Your Highness' note of the 5th instant, inclosing copy of a letter from his excellency the viceroy Yuan, urging reasons why the administration of the city of Tientsin should be handed back to his excellency at an early date."

"In reply I have the honor to state to Your Highness that, in accord with my colleagues representing powers that still have delegates on the council of the Tientsin provisional government, I am authorized by my Government to consent to the dissolution of that body, provided that the Chinese Government signifies its adherence to the following propositions:

"By Article VIII of the final protocol of September 7, 1901, it was declared that the Chinese Government agreed to have the forts at Taku: and others which might interfere with free communications between Peking and the sea, demolished; and it was added that arrangements had been made for this purpose."

"The Chinese plenipotentiaries having expressed to the diplomatic body their desire to be relieved of the direct responsibility for carrying out this article, the representatives of the signatory powers intrusted the work to the Tientsin provisional government. It is not yet entirely completed. In order, therefore, to insure the fulfillment of this article, I have the honor to propose to Your Highness that the work of demolition shall, from the moment of the dissolution of the Tientsin provisional government, be placed in the hands of the G.O.C.'s at Tientsin, the necessary funds being provided out of the moneys then remaining in the treasury of the Tientsin provisional government."

"By Article IX of the same protocol it is provided that the powers shall have the right of occupying certain points between Peking and the sea, of which the whole town of Tientsin is one. Consequently, after the dissolution of the Tientsin provisional government, foreign troops will continue, as hitherto, to be stationed there, in the places actually occupied by them, their supplies of all sorts continuing, as at present, to be exempt from all taxes or dues whatsoever. They will have the right of carrying on field exercises and rifle practice, etc., without informing the Chinese authorities

except in the case of *force de guerre*."

"It is desirable, however, to avoid as far as possible occasions of collision between the foreign troops and those of China. I propose, therefore, that with this object the Chinese Government shall undertake not to station or march any troops within 20 Chinese li (6 2/3 English miles) of the city or of the troops stationed at Tientsin; further, in correspondence exchanged between the foreign representatives and the Chinese plenipotentiaries, of whom Your Highness was one, previous to the signature of the protocol, it was agreed that the jurisdiction of the commanders of the posts to be established along the line of communications should extend to a distance of 2 miles on either side of the railway, and this arrangement ought to be maintained as long as the line of posts specified in Article IX of the protocol continue to be occupied."

"I am willing, however, in concert with my colleagues, to consent that the viceroy should have the right of maintaining a personal bodyguard in the city of Tientsin not exceeding in number 300 men; and also that his excellency may maintain an efficient body of river police along the river, even where it runs within the 2-mile limit above mentioned."

"The demolition of the forts implies an obligation upon China not to reconstruct them, and the same obligation applies to the walls of Tientsin city, which, during the troubles of 1900, were made use of as a fortification directed against the security of the foreign settlements. We can not, however, consent that the Chinese Government establish maritime defenses at the mouth

of the Peiho at Chingwangtao or at Shanhaikuan."

"We propose that the accounts of revenue and expenditure of the Tientsin provisional government be audited by two competent persons, one to be chosen by the G.O.C's at Tientsin, the other by the viceroy, and the balance, after deduction of the sum required to complete the demolition of the forts, be handed over to the provincial treasury."

"Your Highness will no doubt think it right to agree that no Chinese subject who has been in the service of the Tientsin provisional government or of the foreign contingent shall be in any way molested on the ground of such service."

"Chinese subjects in the employ of the foreign forces on the lines of communication will be provided with certificates of identity. It appears to me necessary that the Chinese Government should admit that in case any such Chinese person commits an offence the commandant in whose service he is should have the right of punishing him or of handing him over to Chinese authorities as may, in his opinion, be best calculated to secure the ends of justice."

"The right of foreign troops to occupy summer quarters when necessary ought, in my opinion, to be recognized."

"A list of unexpired punishments imposed by the Tientsin provisional government will be furnished when the body is dissolved to the provincial government, which ought to undertake to carry them out. No action either criminal or civil, adjudicated by the provisional government can ever be

of the Peiho at Chingwangtao or at Shanhaikuan."

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opened anew."

"The archives of the Tientsin provisional government I consider should be intrusted to the senior consul, and application can be made to him by any person entitled to consult them."

"As regards taxation, I consider that the inhabitants of the city and district should be regarded as having discharged their duty to the Chinese Government during the period of the continuance of the administration of the Tientsin provisional government and that no arrears ought to be demanded of them under this heading."

"Such are the proposals which I consider it my duty to place before Your Highness for the acceptance of the Chinese Government, and I have the honor to declare that I am ready to consent to the dissolution of the Tientsin provisional government four weeks after I receive from Your Highness an intimation that they are accepted. I have only further to request that Your Highness will be so good as to designate the official to whom formal delivery of the city and district can be made by the council of the Tientsin provisional government."

"I have, etc."

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C E R T I F I C A T E

Statement of Source and Authenticity

I, HAYASHI, Kaoru, Chief of the Archives Section, Japanese Foreign Office, hereby certify that the document hereto attached in English consisting of 5 pages and entitled "NOTE ON THE DISSOLUTION OF THE PROVISIONAL GOVERNMENT OF TIENHSIN." is an exact and true excerpt from "TREATIES AND AGREEMENTS WITH AND CONCERNING CHINA, 1894-1919, MACMURRAY, VOLUME I, MANCHU PERIOD (1894-1911)" which is in the custody of the Japanese Foreign Office.

Certified at Tokyo,
on this 10th day of April, 1947.

(signed) K. HAYASHI
Signature of Official

Witness: (signed) K. URABE