

Exposition of the Articles of the Convention of Nagasaki, of the 14th of October 1854, agreed to on the 18th October 1855 by their Excellencies the Rear-Admiral Commanding-in-Chief and the Japanese Commissioners.

1st.

“The ports of Nagasaki (Fisen) and Hakodadi (Matsmai) shall be open to British ships for the purposes of effecting repairs, and obtaining fresh water, provisions, and other supplies of any sort they may absolutely want for the use of the ships.”

Exposition.

The first Article of the Convention opens the ports of Nagasaki and Hakodadi to British ships for repairs and supplies. It opens the whole and every part of those ports; but ships must be guided in anchoring by the directions of the local Government. Safe and convenient places will be assigned where ships may be repaired. Workmen, materials, and supplies will be provided by the local Government, according to a Tariff to be agreed upon, by which also the modes of payment will be regulated. All official communications will hereafter, when Japanese shall have time to learn English, be made in that language. A British burial-ground shall be set apart on Medsume Sima, fenced in by a stone wall, and properly protected.

2d.

“Nagasaki shall be open for the purposes aforesaid from and after the present date; and Hakodadi from and after the end of fifty days from the Admiral’s departure from this port. The rules and regulations of each of these ports are to be complied with.”

The second Article provides that at each of the ports of Nagasaki and Hakodadi the Port Regulations shall be obeyed; but the Japanese Government will take care that they shall not be of a nature to create embarrassment, nor to contradict in any other way the general tenor and intent of the Treaty, the main object of which is to promote a friendly intercourse between Great Britain and Japan.

3d.

“Only ships in distress from weather, or unmanageable, will be permitted to enter other ports than those specified in the foregoing Articles, without permission from the Imperial Government.”

Exposition.

The third Article declares that only ships in distress from weather, or unmanageable, shall enter other ports than Nagasaki and Hakodadi without permission from the Imperial Government; but ships of war have a general right to enter the ports of friendly Powers in the unavoidable performance of public duties, which right can neither be waived nor restricted; but Her Majesty’s ships will not enter any other than open ports without necessity, nor without offering proper explanations to the Imperial authorities.

4th.

“British ships in Japanese ports shall conform to the laws of Japan. If high officers or commanders of ships shall break any such laws it will lead to the ports being closed. Should inferior persons break them, they are to be delivered over to the commanders of their ships for punishment.”

The fourth Article provides that British ships and subjects in Japanese ports shall conform to the laws of Japan; and that if any subordinate British subjects commit offences against the laws, they shall be handed over to their own officers for punishment; and that if high officers or commanders of ships shall break the laws, it will lead to the closing of the ports specified. All this is as it should be; but it is not intended by this Article that any acts of individuals, whether high or low, previously unauthorised or subsequently disapproved of by Her Majesty the Queen of Great Britain, can set aside the Convention entered into with Her Majesty alone by His Imperial Highness the Emperor of Japan.

5th.

“In the ports of Japan, either now open, or which may hereafter be opened, to the ships or subjects of any Foreign Nation, British ships and subjects shall be entitled to admission, and to the enjoyment of an equality of advantages with those of the most favoured Nation, always excepting the advantages accruing to the Dutch and Chinese from their existing relations with Japan.”

The fifth Article secures in the fullest sense to British ships and subjects in every port of Japan, either now open or hereafter to be opened, an equality in point of advantage and accommodation with the ships and subjects or citizens of any other Foreign Nation, excepting any peculiar privilege hitherto conceded to the Dutch and Chinese in the port of Nagasaki. If therefore any other Nation or people be now or hereafter permitted to enter other ports than Nagasaki and Hakodadi, or to appoint Consuls, or to open trade, or to enjoy any advantage or privilege whatever, British ships and subjects shall, as of right, enter upon the enjoyment of the same.