

Treaty With Japan

Treaty With Japan -- Franklin Pierce

This agreement, forced on the Tokugawa shogunate by Commodore Perry's menacing "black ships," ended over two centuries of virtual exclusion (the exception being the Dutch) of foreign traders from the coast of Japan. The intrusion of the U.S. in the first place (see President Fillmore's letter derived from the ill-treatment accorded American whaling crews when shipwrecked off the coast or landing for provisions or repairs. The treaty fully satisfied the U.S. government's concerns in this regard but left to the future the equally important matter of opening the country to foreign trade; concluded in 1858 with the signing of the Harris treaty.

Perry's great achievement was widely recognized at the time. Perhaps there is no better praise for this naval veteran of 45 years' service than the collective memorial sent by the American merchants at Canton to the Commodore in Sept. 1854 on his return trip to the U.S.: "You have conquered the obstinate will of man and, by overturning the cherished policy of an empire, have brought an estranged but cultured people into the family of nations. You have done this without violence, and the world has looked on with admiration to see the barriers of prejudice fall before the flag of our country without the firing of a shot."

THE UNITED STATES of America and the Empire of Japan, desiring to establish firm, lasting, and sincere friendship between the two nations, have resolved to fix, in a manner clear and positive, by means of a treaty or general convention of peace and amity, the rules which shall in future be mutually observed in the intercourse of their respective countries; for which most desirable object the President of the United States has conferred full powers on his Commissioner, Matthew Calbraith Perry, Special Ambassador of the United States to Japan, and the August Sovereign of Japan has given similar full powers to his Commissioners And the said Commissioners, after having exchanged their said full powers, and duly considered the premises, have agreed to the following articles:

ARTICLE 1. There shall be a perfect, permanent, and universal peace, and a sincere and cordial amity between the United States of America on the one part, and the Empire of Japan on the other part, and between their people respectively, without exception of persons or places.

ARTICLE II. The port of Simoda [in Yedo harbor], in the principality of Idzu, and the port of Hakodade, in the principality of Matsumai [Hokkaido], are granted by the Japanese as ports for the reception of American ships, where they can be supplied with wood, water, provisions, and coal, and other articles their necessities may require, as far as the Japanese have them. The time for opening the first-named port is immediately on signing this treaty; the last-named port is to be opened immediately after the same day in the ensuing Japanese year. NOTE. A tariff of prices shall be given by the Japanese officers of the things which they can furnish, payment for which shall be made in gold and silver coin.

ARTICLE III. Whenever ships of the United States are thrown or wrecked on the coast of Japan, the Japanese vessels will assist them, and carry their crews to Simoda, or Hakodade, and hand them over to their countrymen,

appointed to receive them; whatever articles the shipwrecked men may have preserved shall likewise be restored, and the expenses incurred in the rescue and support of Americans and Japanese who may thus be thrown upon the shores of either nation are not to be refunded.

ARTICLE IV. Those shipwrecked persons and other citizens of the United States shall be free as in other countries, and not subjected to confinement, but shall be amenable to just laws.

ARTICLE V. Shipwrecked men and other citizens of the United States, temporarily living at Simoda and Hakodade, shall not be subject to such restrictions and confinement as the Dutch and Chinese are at Nagasaki, but shall be free at Simoda to go where they please within the limits of seven Japanese miles . . . from a small island in the harbor of Simoda marked on the accompanying chart hereto appended; and in shall like manner be free to go where they please at Hakodade, within limits to be defined after the visit of the United States squadron to that place.

ARTICLE VI. If there be any other sort of goods wanted, or any business which shall require to be arranged, there shall be careful deliberation between the parties in order to settle such matters.

ARTICLE VII. It is agreed that ships of the United States resorting to the ports open to them shall be permitted to exchange gold and silver coin and articles of goods for other articles of goods, under such regulations as shall be temporarily established by the Japanese Government for that purpose. It is stipulated, however, that the ships of the United States shall be permitted to carry away whatever articles they are unwilling to exchange.

ARTICLE VIII. Wood, water, provisions, coal, and goods required, shall only be procured through the agency of Japanese officers appointed for that purpose, and in no other manner.

ARTICLE IX. It is agreed that if at any future day the Government of Japan shall grant to any other nation or nations privileges and advantages which are not herein granted to the United States and the citizens thereof, that these same privileges and advantages shall be granted likewise to the United States and to the citizens thereof, without any consultation or delay.

ARTICLE X. Ships of the United States shall be permitted to resort to no other ports in Japan but Simoda and Hakodade, unless in distress or forced by stress of weather.

ARTICLE XI. There shall be appointed, by the Government of the United States, Consuls or Agents to reside in Simoda, at any time after the expiration of eighteen months from the date of the signing of this treaty, provided that either of the two Governments deem such arrangement necessary.

ARTICLE XII. The present convention having been concluded and duly signed, shall be obligatory and faithfully observed by the United States of America and Japan, and by the citizens and subjects of each respective Power; and it is to be ratified and approved by the President of the United States, by and with the advice and consent of the Senate thereof, and by the August Sovereign of Japan, and the ratification shall be exchanged within eighteen

months from the date of the signature thereof, or sooner if practicable. In faith whereof we, the respective Plenipotentiaries of the United States of America and the Empire of Japan aforesaid, have signed and sealed these presents.