

GOVERNMENT NOTIFICATION.— No. 229.

The following Circular Despatch from the Secretary of State for the Colonies, and its enclosure, are published.

By Command,

J. H. STEWART LOCKHART,
Colonial Secretary.

Colonial Secretary's Office, Hongkong, 16th April, 1902.

CIRCULAR.⁽²⁾

DOWNING STREET,
28th February, 1902.

SIR,

I have the honour to transmit to you, for your information, a copy of a Parliamentary paper containing an Agreement between Great Britain and Japan, which was signed at London on the 30th of January, 1902.

I have the honour to be,

Sir,

Your most obedient, humble Servant,

J. CHAMBERLAIN.

The Officer Administering the Government of
HONGKONG.

Despatch to His Majesty's Minister at Tôkiô forwarding Agreement between Great Britain and Japan of January 30, 1902.

The Marquess of Lansdowne to Sir C. MacDonald.

SIR,

Foreign Office, January 30, 1902.

I HAVE signed to-day, with the Japanese Minister, an Agreement between Great Britain and Japan, of which a copy is inclosed in this despatch.

This Agreement may be regarded as the outcome of the events which have taken place during the last two years in the Far East, and of the part taken by Great Britain and Japan in dealing with them.

Throughout the troubles and complications which arose in China consequent upon the Boxer outbreak and the attack upon the Peking Legations, the two Powers have been in close and uninterrupted communication, and have been actuated by similar views.

We have each of us desired that the integrity and independence of the Chinese Empire should be preserved, that there should be no disturbance of the territorial *status quo* either in China or in the adjoining regions, that all nations should, within those regions, as well as within the limits of the Chinese Empire, be afforded equal opportunities for the development of their commerce and industry, and that peace should not only be restored, but should, for the future, be maintained.

From the frequent exchanges of views which have taken place between the two Governments, and from the discovery that their Far Eastern policy was identical, it has resulted that each side has expressed the desire that their common policy should find expression in an international contract of binding validity.

We have thought it desirable to record in the Preamble of that instrument the main objects of our common policy in the Far East to which I have already referred, and in the first Article we join in entirely disclaiming any aggressive tendencies either in China or Corea. We have, however, thought it necessary also to place on record the view entertained by both the High Contracting Parties, that should their interests as above described be endangered, it will be admissible for either of them to take such measures as may be indispensable in order to safeguard those interests, and words have been added which will render it clear that such precautionary measures might become necessary and might be legitimately taken, not only in the case of aggressive action of an actual attack by some other Power, but in the event of disturbances arising of a character to necessitate the intervention of either of the High Contracting Parties for the protection of the lives and property of its subjects.

The principal obligations undertaken mutually by the High Contracting Parties are those of maintaining a strict neutrality in the event of either of them becoming involved in war, and of coming to one another's assistance in the event of either of them being confronted by the opposition of more than one hostile Power. Under the remaining provisions of the Agreement, the High Contracting Parties undertake that neither of them will, without consultation with the other, enter into separate arrangements with another Power to the prejudice of the interest described in the Agreement, and that whenever those interests are in jeopardy they will communicate with one another fully and frankly.

The concluding Article has reference to the duration of the Agreement which, after five years, is terminable by either of the High Contracting Parties at one year's notice.

His Majesty's Government have been largely influenced in their decision to enter into this important contract by the conviction that it contains no provisions which can be regarded as an indication of aggressive or self-seeking tendencies in the regions to which it applies. It has been concluded purely as a measure of precaution, to be invoked, should occasion arise, in the defence of important British interests. It in no way threatens the present position or the legitimate interests of other Powers. On the contrary, that part of it which renders either of the High Contracting Parties liable to be called upon by the other for assistance can operate only when one of the allies has found himself obliged to go to war in defence of interests which are common to both, when the circumstances in which he has taken this step are such as to establish that the quarrel has not been of his own seeking, and when, being engaged in his own defence, he finds himself threatened, not by a single Power, but by a hostile coalition.

His Majesty's Government trust that the Agreement may be found of mutual advantage to the two countries, that it will make for the preservation of peace, and that, should peace unfortunately be broken, it will have the effect of restricting the area of hostilities.

I am, &c.,

(Signed) LANSLOWNE.

Inclosure.

Agreement between Great Britain and Japan, signed at London, January 30, 1902.

THE Governments of Great Britain and Japan, actuated solely by a desire to maintain the *status quo* and general peace in the extreme East, being moreover specially interested in maintaining the independence and territorial integrity of the Empire of China and the Empire of Corea, and in securing equal opportunities in those countries for the commerce and industry of all nations, hereby agree as follows:—

ARTICLE I.

The High Contracting Parties having mutually recognized the independence of China and of Corea, declare themselves to be entirely uninfluenced by any aggressive tendencies in either country. Having in view, however, their special interests, of which those of Great Britain relate principally to China, while Japan, in addition to the interests which she possesses in China, is interested in a peculiar degree politically, as well as commercially and industrially, in Corea, the High Contracting Parties recognize that it will be admissible for either of them to take such measures as may be indispensable in order to safeguard those interests if threatened either by the aggressive action of any other Power, or by disturbances arising in China or Corea, and necessitating the intervention of either of the High Contracting Parties for the protection of the lives and property of its subjects.

ARTICLE II.

If either Great Britain or Japan, in the defence of their respective interests as above described, should become involved in war with another Power, the other High Contracting Party will maintain a strict neutrality, and use its efforts to prevent other Powers from joining in hostilities against its ally.

ARTICLE III.

If in the above event any other Power or Powers should join in hostilities against that ally, the other High Contracting Party will come to its assistance and will conduct the war in common, and make peace in mutual agreement with it.

ARTICLE IV.

The High Contracting Parties agree that neither of them will, without consulting the other, enter into separate arrangements with other Power to the prejudice of the interests above described.

ARTICLE V.

Whenever, in the opinion of either Great Britain or Japan, the above-mentioned interests are in jeopardy, the two Governments will communicate with one another fully and frankly.

ARTICLE VI.

The present Agreement shall come into effect immediately after the date of its signature, and remain in force for five years from that date.

In case neither of the High Contracting Parties should have notified twelve months before the expiration of the said five years the intention of terminating it, it shall remain binding until the expiration of one year from the day on which either of the High Contracting Parties shall have denounced it. But if, when the date fixed for its expiration arrives, either ally is actually engaged in war, the alliance shall, *ipso facto*, continue until peace is concluded.

In faith whereof the Undersigned, duly authorized by their respective Governments, have signed this Agreement, and have affixed thereto their seals.

Done in duplicate at London, the 30th January, 1902.

(L.S.) (Signed) LANSLOWNE,
*His Britannic Majesty's Principal
Secretary of State for Foreign
Affairs.*

(L.S.) (Signed) HAYASHI,
*Envoy Extraordinary and Minister,
Plenipotentiary of His Majesty
the Emperor of Japan at the
Court of St. James'.*

GOVERNMENT NOTIFICATION.—No. 230.

It is hereby notified that His Majesty the King has not been advised to exercise the power of disallowance with respect to the following Ordinance:—

Ordinance No. 35 of 1901, entitled—An Ordinance to facilitate the investment of Trust and other funds in the United Kingdom, in Hongkong Government securities.

By Command,

J. H. STEWART LOCKHART,
Colonial Secretary.

Colonial Secretary's Office, Hongkong, 14th April, 1902.

GOVERNMENT NOTIFICATION.—No. 231.

Notice is hereby given that the W. R. IRBY CIGAR AND TOBACCO COMPANY, LIMITED, have by assignment transferred their Trade Marks in respect of Smoking Tobacco, Chewing Tobacco, Cigars, Cigarettes and Snuff in Class 45, to the AMERICAN TOBACCO COMPANY, of Newark, New Jersey, U. S. America; and that the same has been duly registered.

By Command,

J. H. STEWART LOCKHART,
Colonial Secretary.

Colonial Secretary's Office, Hongkong, 14th April, 1902.

GOVERNMENT NOTIFICATION.—No. 232.

Under instructions from His Majesty's Government, His Excellency the Officer Administering the Government has been pleased to recognize GUSTAF HARLING as Vice-Consul for Sweden and Norway at Hongkong.

By Command,

J. H. STEWART LOCKHART,
Colonial Secretary.

Colonial Secretary's Office, Hongkong, 16th April, 1902.