

# Japan

## PEACE AND AMITY

*Treaty signed at Kanagawa March 31, 1854*

*Supplemented by agreements of June 17, 1854,<sup>1</sup> and June 23, 1854<sup>2</sup>*

*Senate advice and consent to ratification July 15, 1854*

*Ratified by the President of the United States August 7, 1854*

*Ratified by Japan in the "1st year of Ansei, Elder Brother, Tiger, 12th month" (January 18 to February 16, 1855)*

*Ratifications exchanged at Shimoda February 21, 1855*

*Entered into force February 21, 1855*

*Proclaimed by the President of the United States June 22, 1855*

*Modified by treaty of July 29, 1858<sup>3</sup>*

*Superseded July 17, 1899, by agreement of November 22, 1894<sup>4</sup>*

11 Stat. 597; Treaty Series 183<sup>5</sup>

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, Hayashi, Dai-gaku no-kami; Ido, Prince of Tsus-Sima; Izawa, Prince of Mima-saki; and Uono, Member of the Board of Revenue. And the said Commissioners after having exchanged their said full powers, and duly considered the premises, have agreed to the following Articles.

<sup>1</sup> TS 183, *post*, p. 355.

<sup>2</sup> TS 183, *post*, p. 357.

<sup>3</sup> TS 185, *post*, p. 362.

<sup>4</sup> TS 192, *post*, p. 337.

<sup>5</sup> For a detailed study of this treaty, see 6 Miller 439.

## ARTICLE I

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 the principality of Idzu, and the Port of Hakodade, in the principality of Matsmai, 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 their 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 (or Ri.) from a small Island in the harbor of Simoda, marked on the accompanying Chart, hereto appended: <sup>6</sup>—and shall in like manner

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<sup>6</sup> A full-size facsimile of the chart may be found in a pocket inside the back cover of 6 Miller.

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.

Done at Kanagawa this thirty first day of March in the Year of our Lord Jesus Christ, One thousand eight hundred and fifty four; and of Kayei, the Seventh Year, third month and Third day.

M. C. PERRY