

THE SHIMONOSEKI AFFAIR.

A CHAPTER OF JAPANESE HISTORY.

The question of the final settlement of a certain pecuniary claim, known as the "Shimonoseki Indemnity," which was first brought against the Government of Japan in 1864, by the diplomatic representatives of the United States, France, Great Britain and Holland, has from time to time attracted considerable attention in one of the countries on whose behalf the demand was originally made, and at rare intervals has been discussed with a languid interest in each of the others. To Japan the subject has for years been one of annoyance and mortification. The justice of the exaction has never been recognized by that nation, and the integrity of the motives by which it was dictated has always been doubted. The various payments that have been made, under tacit protest, have not only been the occasion of financial inconvenience, but have also been looked upon as an involuntary recognition of the propriety of their imposition. The full amount has nevertheless been paid, the last instalment having been delivered in July, 1874, under circumstances which will receive an attentive examination hereafter. It is only necessary to say at present that the feeling of the Japanese in regard to the enforcement of the demand is an extremely unpleasant one. In the case of one of the parties it is looked upon as a mere gratification of greed; in that of others as a ruthless extortion for the purpose of attempting to carry through a political intrigue. With respect to the United States, the position is felt to be aggravated by the facts that proposals had repeatedly been made, both in Congress and in the public journals, to relinquish the unpaid balance of the claim, and even to restore the sum already in possession of the government, and that these proposals had been responded to by the community with a cordiality more than sufficient to warrant the expectation that they would be formally adopted. In this confident belief the Japanese considered themselves amply sustained and fortified by American opinion, and the shock of their disillusion when the Minister of the United

States, at the last moment, joined his colleagues in pressing the liquidation, produced a far more unfavorable effect than would have resulted from a persistent and unvarying assertion of the claim throughout.

The case has now passed into history, and, in a general sense, may be considered closed, unless, indeed, it should be revived by some spontaneous instinct of equity on the part of the United States, or of the three European nations concerned. All discussion as to the actual payment is finished. As to the justice of the grounds upon which it was required in 1864, and pertinaciously urged for ten years, discussion has never fairly begun. Like most subjects connected with the relations between Japan and foreign powers, the origin of the "Shimonoseki Indemnity" has been allowed to lie in obscurity. There has never been any serious obstacle in the way of ascertaining the real circumstances of the affair, but the universal indifference in regard to them has discouraged all attempts to present them in their true light. The few who have given more than a moment's thought to the matter are barely aware that, at some period more or less remote, a difficulty arose in consequence of attacks upon foreign ships which were passing through the Strait of Shimonoseki; that a powerful Western fleet bombarded and destroyed the fortifications that commanded this strait, and that a heavy pecuniary compensation was afterward imposed for the assaults upon the ships and the expenses incurred by the avenging expedition. In America, where a disposition to release the Japanese from the fulfilment of their bond has sometimes been shown, the idea has always prevailed that the surrender of the few hundred thousand dollars in question would be an act of magnanimity to be applauded by the world and hailed with gratitude by Japan. No suspicion of the possibility that the four powers may not have been wholly right in their hostile operations and the oppressive exactions that followed, or that the restitution would be nothing more than an honorable acknowledgment of past error, was ever entertained by the general public. The imputed fault, or crime, as it was called, of the Japanese was taken for granted. The injurious representations of the foreign Ministers residing in Japan were never scrutinized. To this day it is currently believed that the onslaught upon Shimonoseki and its chain of consequences were devised and carried out solely in expiation of a grave national offense.

In order to bring the common vague impression upon this topic, as nearly as it can be brought, in accordance with the actual events, it may be well to state briefly and clearly:—

I. That three foreign vessels, American, Dutch and French, were fired upon, during the summer of 1863, from batteries erected on the shore of the Shimonoseki Strait—the north-western entrance to the Inland Sea of Japan, and from Japanese ships lying off the port of Shimonoseki.

II. That immediately after the assault upon the American and

French vessels, retaliatory attacks were made by American and French men-of-war, by which severe punishment was inflicted, involving much greater destruction of life and property than had been caused by the fire of the Japanese.

III. That in the summer of 1864, the diplomatic representatives of Great Britain, France, the United States and Holland, chiefly influenced by the Minister of the first named Power, agreed that a combined fleet should be sent to seize and destroy the fortifications, which was accordingly done.

IV. That in a subsequent convention, the four representatives agreed to demand the sum of \$3,000,000 in compensation for "damage resulting to the interests of Treaty Powers, as well as the expenses occasioned by the expedition."

V. That, after many delays and postponements, the last instalments of this amount were paid in July, 1874.

These are the simple facts, which are acknowledged by all parties. They have hitherto been put forward in a manner calculated to fix all the error and wrong of the various transactions upon Japan; a circumstance which need not be wondered at, inasmuch as all the accessible reports have proceeded from parties more or less directly interested in establishing this view of the case. It is the purpose of this paper, by examining them with stricter impartiality, to exhibit them in a different aspect, and to demonstrate:

I. That there is good ground for disputing the right of the above-mentioned three ships to be where they were when fired upon.

II. That the attack was not made by the government, or any party representing the government of Japan, as it was then recognized by foreigners, but by a local ruler who was even at that time on hostile terms, and afterward in violent contest with, the authorities of Yedo.

III. That the first acts of reprisal were undertaken by the American and French men-of-war either on their independent responsibility or with the hasty concurrence of the representatives of the United States and France, and were not authorized by any instructions from the respective governments.

IV. That the American ship first attacked sustained no injury whatever, and the French ship was but slightly damaged, while, by the action of the men-of-war in question, heavy punishment was inflicted in the destruction of at least one ship, a native village and a battery, and the killing of some thirty or forty Japanese.

V. That although the plan of despatching a naval expedition to Shimonoseki was mainly inspired by the British Minister, no ship belonging to his nation had ever been assailed at that place.

VI. That the course of the British Minister was repeatedly disapproved and the expedition forbidden by his Government; and that he

was justified only after his measures had been fully carried out, when condemnation would have been of no avail.

VII. That the U. S. Minister formally accepted the terms of a pecuniary adjustment of the affair, so far as injuries to Americans were concerned, pending the settlement of which he authorized a vessel representing the U. S. Navy to sail and take part in the work of destruction.

VIII. That there were positive instructions against hostilities, as well as strong moral reasons for forbearance, on the part of the French Minister, to which no consideration was given.

IX. That at the date of the expedition a civil war was in progress, and the Yedo Government was actually engaged in the endeavor to subjugate and chastise the offending local ruler, but was unable to promise the opening of the Strait at any positively fixed period, although pledging itself to undertake the work as soon as sufficient force could be withdrawn from other operations.

X. That the claim was not laid, as alleged, for "damage" and "expense"; but was purposely made exorbitant, in the hope that it could not be paid and that the Japanese Government would be constrained to make important political concessions, as an equivalent.

XI. That until the time of the final payment, the indebtedness had been constantly used as a means of exerting political pressure upon the Japanese, with the view of accomplishing ends to which the government has always been strongly opposed, and upon the postponement of which the safety of the whole empire is believed to depend.

The Inland Sea of Japan, as any map will show, is surrounded by the shores of the three principal islands of that country. It may be entered, from the open ocean, by several narrow passages—the Strait of Shimonoseki at the West, Isumi Strait and Naruto Pass at the East, and the Bungo channel at the South. Its geographical features are unlike those of any other Inland Sea. Politically, it resembles the Sea of Marmora, in the circumstance of its being entirely surrounded by territory belonging to a single state, and having more than one outlet to waters which are free to all nations.

It is an axiom of International Law that the maritime territory of every state extends "to the distance of a marine league along all the coasts." (1) Wheaton adds that it extends "to the straits and sounds, bounded on both sides by the territory of the same state, so narrow as to be commanded by cannon shot from both shores and communicating from one sea to another." (2) In this broad sense, the application to the Inland Sea of Japan is plain enough. Every one of the straits leading to it is less than six miles in width; that of Shimonoseki is at one

(1) Dana's Wheaton, p. 270.

(2) Ibid.

place not more than half a mile wide. But the statement is limited by the observation, in another place, that "if the navigation of the two seas thus connected is free, the navigation of the channel by which they are connected ought also to be free." (3) In order, therefore, to determine as to the exclusive control of the Inland Sea by Japan, it is necessary to examine the question whether the four above-mentioned passages do or do not connect two seas the use of which is legally open to all nations. The Sea of Marmora furnishes exactly the desired case in point. It is entirely enclosed by Turkish Territory. It is entered at one end by the Dardanelles and at the other by the Bosphorus, both of which are, at certain points, less than six miles wide. The position held by this Inland Sea, according to the public law of European nations, is clearly set forth by the modern authorities upon International Jurisprudence. Wheaton explains, at some length, that while the privilege of passing through these straits has been conceded, by special Treaty, to the merchant ships of foreign nations, the permission does not extend to ships of war. "The ancient rule of the Ottoman Empire, established for its own security, by which the entry of foreign vessels of war into the canal of Constantinople, including the Strait of the Dardanelles and that of the Black Sea, has been at all times prohibited, was expressly recognized by the treaty concluded at London, the 13th July, 1841, between the five great European Powers and the Ottoman Porte." (4) The Treaty of Paris, 1856, reaffirms this right, and it should be added that even merchant vessels, to this day, may not make the passage without a permit. Not to multiply citations, most of which are identical in meaning if not in language, it will be sufficient to quote certain paragraphs bearing upon the subject from "The Law of Nations," by Travers Twiss. This author's treatment of the topic is perhaps more explicit and more comprehensive in its application than that of other contemporary writers:—

"If a sea is entirely enclosed by the territory of a nation, and has no other communication with the ocean than by a channel of which that nation may take possession, it appears that such a sea is no less capable of being occupied and becoming property than the land, and it ought to follow the fate of the country that surrounds it.....So, likewise, straits, which serve as a communication between two seas, and of which the shores on both sides are the territory of one and the same nation, are capable of being reduced into the possession of that nation.....Whenever a nation has the exclusive right over an entire sea, or over a bay, or over straits, no other nation can claim a right of navigation therein against its will.....The exclusive right which the Ottoman Porte exercises over the straits and the intermediate sea which connect the Medi-

(3) Dana's Wheaton, p. 262.

(4) Dana's Wheaton, p. 263.

terranean with the Black Sea, rests upon a prescription which has obtained the formal sanction of the Great Powers of Europe.....The right of the Porte had a lawful origin at the time when the shores of the Black Sea were in the exclusive possession of the Ottomans, but after Russia had made large territorial acquisitions on its shores, the latter Power, under the common law of European Nations, had a right to navigate the waters of the Black Sea, and to pass outwards with trading vessels into the Mediterranean. But the Ottoman Porte did not at that time acknowledge any Public Law in common with the Christian Powers of Europe, and the latter Powers had not the right, if they had possessed the might, to impose their system of law upon the Ottoman nation. Accordingly, as the Ottomans regarded no other law as binding upon them than the express stipulations of Treaties, the free navigation of the straits was secured to the merchant vessels of Christian nations by express conventions on the part of the Porte, with Russia in 1774, with Great Britain in 1799, with France in 1802, with Prussia in 1806. The Porte has meanwhile kept the straits closed against war ships of all nations during the time when it has itself remained at peace with all nations, and this practice of the Porte obtained a formal sanction, as an ancient rule of the Ottoman Empire, from the Great European Powers, with the exception of France, in the Treaty concluded in London, July 13th, 1841. It has since been more formally confirmed as part of the public law of Europe, by the Treaty of the Straits, annexed to the Treaty of Peace concluded at Paris, March 30th, 1856." (5)

The similarity, often amounting to identity, of circumstances between the case of Turkey and that of Japan, and the direct applicability of many of the above cited statements to the physical properties of Japan and to its political relations with foreign nations, are obvious and indisputable. The Inland Sea "is entirely enclosed by the territory of" Japan. It "has no other communication with the ocean than by a channel (or channels) of which that nation may take possession." Japan has, therefore, "an exclusive right over the entire sea," and "no other nation can claim a right of navigation therein against its will." That the "ancient rule of the Japanese empire" was the absolute exclusion of foreign ships from all waters—excepting, after a certain period in the 16th century, the harbor of Nagasaki, which was partially opened—and that Japan "did not at that time acknowledge any public law in common with the Christian Powers of Europe," no person will venture to deny. Mr. Twiss explains that the free navigation of the Turkish sea had to be "secured to the merchant vessels of Christian nations by express conventions" at different periods. No similar convention for the entrance and passage of the straits and Inland Sea of Japan was ever made or proposed by any of the foreign powers. "They

(5) Travers Twiss's "Law of Nations," etc., Vol. I., pp. 250, 251, 260, 261.

had not the right, if they possessed the might," to penetrate them. But for the various conventions with the Porte, the merchant ships of other European nations, which now pass by special firman in each instance, might to this day be subject to obstruction in the Turkish straits; and ships of war, as has been shown, are still prohibited, and, according to the declaration of the Sultan in 1856, the right to prohibit will never be surrendered. (6)

If international precedents have any value whatsoever, it is sufficiently clear that neither merchant nor war vessels of foreign countries had the right in 1863, or at any other time, to enter the Strait of Shimonoseki or to traverse the Inland Sea. Their exclusion was warranted in precisely the same way that any exclusion would have been warranted by Turkey, as regards merchant ships, if express agreement had not been made to admit them, and is warranted, as regards war ships, at the present time. That some vague consciousness of this fact entered into the consideration of one of the Powers concerned in the Shimonoseki affair, appears evident from an "Order in Council," dated January 7th, 1864, by the British Government, "empowering Her Majesty's Consul-General to issue a rule, placing under restrictions, or prohibiting altogether, the entry of British vessels into such inland waters and seas"—whenever and so often as it shall appear that the passage may lead to acts of disturbance or acts of violence or may otherwise endanger the peaceful relations and intercourse between Her Majesty's subjects and the subjects of the Tycoon of Japan." (7) But the full right of obstruction, as demonstrated above, does not seem to have been recognized or duly estimated. Enough has now been shown to prove that the ships of war were not fairly entitled to force a passage through the Sea. In respect to the merchantman—an American steamer—it will hereafter appear that there were additional reasons in justification of her detention, and probably of her seizure.

The history of the assaults upon the three foreign craft, and of the subsequent unauthorized and partially authorized (possibly, also, in rare instances fully authorized) operations of foreigners, may now be examined. A few preliminary words, only, are necessary to explain the political situation of the country at the time.

Although the sovereignty of Japan always rested with the Mikado, the executive control had been for many centuries entrusted to a powerful vassal, known to foreigners, since 1854, as the Taikun or Tycoon. For two hundred and fifty years this office had been held in a single family, that of Tokugawa, the founder of which established a

(6) Lawrence's Wheaton, p. 331, note.—Phillimore, Vol. III, Appendix, p. 828.—Treaties and Conventions between the U. S. and other Powers: Washington 1873, p. 651.

(7) Correspondence respecting Affairs in Japan: Presented to Parliament, 1865; No. 1, pp. 2, 3.

system of government which, he believed, was calculated to secure the virtual command of the empire to his descendants forever. At that remote date, the probable evils of foreign influence upon his dynasty, in case such influence should ever be brought to bear, were clearly foreseen. Absolute exclusion of strangers, except under such rigid restrictions as those to which the Dutch were subjected—they being the only Europeans admitted to any sort of intercourse—was a fundamental rule of the system which he bequeathed, and was maintained unshaken until the arrival of Commodore Perry. Up to that time, the sway of the Tokugawa family had never wavered. The oppressive rigor with which the numerous daimios, or feudal noblemen, were often treated, had created much discontent, but none was bold enough to venture to resist the long unbroken authority. The advent of foreigners gave a sudden impulse to the disaffected. Actuated partly by motives of hostility toward the government of the Taikun, and partly by the animosity toward all strangers which, in the course of successive years, had spread throughout the country and become a national sentiment, they strove in many ways to make the reception of representatives from abroad a source of embarrassment to the Yedo rulers. Although the Court of the Mikado, at Kioto, had been nowise concerned in the original expulsion of foreigners, it had grown to share the universal feeling, and was, during the decade succeeding the visit of Perry, ready to take a leading part in any demonstration against them. While personal rivalries prevented, for a long time, anything like perfect unanimity of action, there was always one or more of the great daimios engaged in concerting schemes with the Kioto officials for the overthrow of the Taikun and the ejection of the unwelcome visitors. Sometimes the two objects were united, sometimes they were separately pursued. The result was, that, long before 1863, the once absolute power of the Taikun was almost irremediably shattered. From a very early period, his government recognized the necessity of gradual intercourse with outside nations; but how to reconcile this course with the obstinate traditions of the people was a problem that exhausted the ingenuity of the Yedo councillors for a dozen years, and in the attempts to solve which they at last fell to utter ruin. At the beginning of 1863, the country was virtually in a state of anarchy. Many of the local chiefs were in rebellion. A bloody warfare was impending in the Imperial capital (Kioto) between the forces of the Taikun and the daimio who, we shall find, was immediately responsible for the attacks upon foreign ships at Shimonoseki. The vital anxieties of the Tokugawa government, and the difficulties, not to say perils, of its position, were apparent to everybody—to none more clearly than to the diplomatic agents of Europe and America. But they had been accredited to the Taikun, and to him alone they continued to look, as maintaining the supreme authority. "We regard him," the British

Minister wrote, a little later, "as the Treaty-making Power; will not admit any question of his competency, and hold him responsible for its execution." (8)

During all this term of trouble, the Yedo officials were unremitting in their efforts to get rid of one, and the principal, cause of their disquietude, by suggestions to the foreign Ministers, pointing to such restrictions and limitations upon their citizens as might avert the danger of molestation by hostile daimios or their subordinates. These suggestions were not listened to. It was not, in the nature of things, to be expected they should be. What the members of the government would have wished, was the entire withdrawal of the disturbing element, but this they knew was out of the question. They therefore confined themselves to well-intended but futile endeavors to prevent the actions of foreigners from becoming the cause of violence on the part of turbulent Japanese, and thus leading to new and more dangerous complications. If they had possessed greater political knowledge, or had enjoyed the advantage of foreign legal advice, these endeavors need not have been futile. They might have learned that they were entitled to close the Inland Sea and the Straits leading to it, in time to provide against disasters which they knew to be impending and which actually ensued. It was not the part of diplomatic agents to supply them with the required information, and, indeed, from the complacent confidence of their later proceedings, it is a question whether the agents themselves possessed it.

Among the most active opponents both of the Tokugawa dynasty and the policy entertained by the Taikun in regard to foreigners was the lord of Chosiu, one of whose provinces, Nagato, borders a part of the Inland Sea and the eastern side of the Shimonoseki Strait. Acting undoubtedly of his own will, but sustained and encouraged by the Kioto Court, this daimio, in the summer of 1863, erected shore batteries commanding the narrowest part of the channel, and planted armed vessels where they could most advantageously co-operate in attacks upon passing ships. It does not, however, appear that his first intention was more than to prevent entrance to the Inland Sea, inasmuch as blank guns of warning were fired, in several instances, before any destructive assault was commenced. On the afternoon of June 25th, a small American merchant steamer, the *Pembroke*, on her way from Yokohama to Nagasaki, anchored near the town of Shimonoseki, half way through the Strait. Guns were fired, but none were directed against the *Pembroke* until one o'clock the next morning when two ships belonging to Chosiu attacked her. She hastily steamed southward, and escaped uninjured, and unpursued, through the Bungo channel.

News of this occurrence reached Yedo on the 11th of July, and was

(8) Correspondence respecting Affairs in Japan, No. 1, 1865, p. 126.

straightway transmitted to Mr. Pruyn, the U. S. Minister, then residing at Yokohama. That gentleman, on the 12th, sent for the governor of Kanagawa, made known the claim for damages that had already been presented by the owners of the *Pembroke* (9) and stated that for the insult offered to the United States flag, ample satisfaction would be demanded. Immediately after this interview, he conferred with Commander McDougal, of the U. S. S. *Wyoming*, then in Yokohama harbor, and "was gratified to find he had decided to proceed instantly to the Strait, for the purpose of seizing and, if needful, destroying, the two vessels" that had made the attack.(10) The *Wyoming* left Yokohama on the 13th, and reached Shimonoseki on the 16th. As she approached, guns were discharged, but not at her. As soon as she discovered the Chosiu ships, of which there were three lying at anchor, she advanced upon them with great vigor and boldness. An engagement ensued, in the course of which the *Wyoming* was subjected to the fire of these vessels and also of several land batteries. She succeeded, nevertheless, in sinking a brig and exploding the boilers of a steamer. The loss of life she inflicted is not known. Her own casualties were five killed and six wounded. She returned to Yokohama on the 20th.

In reporting this case to the U. S. Government, on the 24th of July, Mr. Pruyn made no further allusion to the objects of the *Pembroke's* voyage than to intimate that she was on the way to Nagasaki. An affidavit of the officers, forwarded by him, stated that she was sailing "from Yokohama to Shanghai, *via* the Inland Sea and Nagasaki." It may be remarked that the quickest and most direct route from Yokohama to Nagasaki is not by the Inland Sea. It does not appear that Mr. Pruyn ever found it necessary to investigate her movements more closely; but according to information from the State Department, where the case was thoroughly examined, she was believed to be engaged in an attempt to communicate with the town of Shimonoseki, probably for purposes of trade, and therefore not entitled to protection. Mr. Wm. Beach Lawrence, in his "Commentaire sur l'Histoire des Progrès du droit des Gens," while reviewing the relations between Japan and foreign nations, speaks of this matter as follows:—"Un vaisseau Américain ouvre les hostilités. Au mois de Juillet, 1863, un vaisseau de

(9) This neat little claim is a curiosity in its way. It ran as follows:

"Statement of loss suffered in consequence of a murderous assault made upon the steamer *Pembroke*, in the Inland Sea, on the 19th June, by armed vessels flying the flag of the government of Japan."

Loss of time by being obliged to go through an unknown and circuitous passage to reach the open sea; five days at \$300.....	\$1,500
Loss of freight and passengers, through not being able to visit Nagasaki, whither she was bound; estimated at.....	6,500
Consideration to be distributed among the officers and crew, as recompense for the deadly peril to which they were subjected.....	2,000
	<u>\$10,000</u>

(10) U. S. Diplomatic Correspondence, 1863-4, p. 1130.

guerre des Etats Unis attaqua et coula au fond des navires de guerre Japonais, sous prétexte qu'un navire appartenant à un daimio Japonais avait tiré sur un vapeur marchand Américain. D'après le compte rendu, il semblerait que l'officier Américain aurait agi sans attendre des renseignements précis, et que le vapeur marchand que l'on croyait coulé, n'avait pas souffert le moindre avarie. Il paraît aussi que le vapeur Américain se trouvait dans des eaux fermées au commerce étranger."(11)

On the 8th or 9th of July, a French gunboat, the *Kienchang*, was also fired upon while at anchor in the Strait, and seriously injured. The intelligence was received in Yokohama on the 15th, and, on the 16th, the frigate *Semiramis* and the gunboat *Tancrède*, under Rear-Admiral Jaurès, started on a retaliatory expedition. Again, guns were fired as the vessels approached the batteries, but not upon them. The engagement, on the part of the naval force, was short, and one of the batteries was speedily silenced, several gunners being killed. Two hundred and fifty men were landed, and about twenty other Japanese were bayoneted in skirmishes. The guns of the fort were spiked, the carriages burned, and the ammunition destroyed. A neighboring village was also burned. The entire destruction of life was larger than could be easily estimated. On the French side, the casualties were three men wounded.

The Dutch ship-of-war *Medusa* sailed from Nagasaki July 9th, with the intention of passing through Straits and Sea to Yokohama. Soon after starting, she met the *Kienchang*, and learned the facts that cannon were planted at Shimonoseki, and foreign vessels liable to be fired upon. The *Medusa* was not deterred by this information. She proceeded on her way, and, on nearing the position of danger, received the usual admonition of blank discharges. As she continued to advance, she was fired upon from two Choshu ships, and from the fortifications. She responded with such effect as to silence one battery and render the cannonading from the attacking vessels ineffective. What loss of life she inflicted is not known. Among her own officers and crew, four were killed, and five wounded.

The *Pembroke*, the *Kienchang*, and the *Medusa* were the only foreign ships in respect to which anything like wanton molestation can be alleged. The right of the first to be where she was is not recognized by the U. S. Government. That of the other two is opposed by the Public Law of European nations. But, to waive this point for a moment, it is plain that the injuries inflicted on two of them met with instant and ample retribution. To what extent the *Medusa* avenged herself has not been recorded, but it is fair to presume that the Japanese casualties were at least equal to those which she suffered. It is worthy of remark that, in a despatch to the Taikun's Ministers of Foreign Affairs, describing the excursion of the *Wyoming*, Mr. Pruyn com-

(11) "Commentaire," etc., Vol. 1, p. 150.

plained that that vessel was fired into "without the provocation of a shot" on her part, and demanded "reparation to be made for the insult and injury" to her as well as to the *Pembroke*.⁽¹²⁾ In view of the avowed purpose of the *Wyoming's* voyage, which was to commit an unauthorized act of war, this method of dealing with the affair was not, to say the least, ingenuous. In the case of the French attack, the Japanese did not commence the engagement. The *Semiramis* fired first.

These events all occurred within the space of one month. It should be especially noted that no British ship was ever assailed, at any time. The only connection of the English authorities with the business was the voluntary despatch, by Admiral Kuper, of Her Majesty's ship *Coquette*, to communicate with Admiral Jaurès, and to be at "his disposal in case of need."⁽¹³⁾ That is to say, the British commander offered, and in fact sent, one of his fleet, to take part in an act of war for which, so far as his nation was concerned, there was not the shadow of justification. Yet the British Chargé d'Affaires did not hesitate to write that if the *Coquette* had been fired upon, under these circumstances, it would have had the effect of "completing the series of outrages and insults directed against the flags of the Treaty Powers."⁽¹⁴⁾ But the British man-of-war did not arrive in time, and the anticipated, not to say desired, union of hostile interests was not at that time perfected. Nevertheless, the impression became universal, and continues, in greater or less degree, to the present day, that English craft suffered equally with those of the three other countries. This is undoubtedly due, in a great measure, to the ardor with which the British representatives in Japan took up the quarrel. To show how general the conviction was, it may be mentioned that Mr. Seward, writing to Mr. Pruyn October 3rd, 1863, alluded to "aggressions committed against British merchantmen," without the slightest indication of doubt as to whether any such had or had not been committed.⁽¹⁵⁾

The representatives of the Foreign Powers lost no time in calling the government to further account. On the 25th of July, they agreed in convention that it was "indispensable for the maintenance of the rights secured by the Treaties concluded with Japan, to proceed immediately to the re-opening of the Inland Sea," and that it appeared "necessary to them to establish a combined action of the naval and military forces available in these seas."⁽¹⁶⁾ It is needless to say that this determination was arrived at without knowledge of the view that might afterward be taken by the home authorities. It was the premonition of actions which subsequently shaped themselves into a war declared and conducted, not by the four governments, but by the diplomatic agents

(12) U. S. Dip. Correspondence, 1863-4, p. 1139.

(13) Correspondence respecting Affairs in Japan, 1864, p. 84.

(14) Correspondence respecting Affairs in Japan, 1864, p. 84.

(15) U. S. Dip. Correspondence, 1863-4, p. 1151.

(16) U. S. Dip. Correspondence, 1863-4, p. 1144.

thereof, on their own account. It was communicated to the Japanese with the extravagant emphasis common at that period, and which may then have seemed suitable and essential to those who employed it, but which does not now satisfy impartial judgment as having been either necessary or politic. On the 23rd of July, at an interview between a member of the Yedo council and the foreign Envoys, the Japanese minister stated that the Taikun "could not of course approve of such conduct" as that of the daimio of Chosiu. (17) On the 28th, the British Chargé wrote to the officials, accusing the Taikun of complicity in an "outrageous and lawless attempt to cancel solemn Treaties by violent and outrageous acts," declaring that "no delay was admissible in the destruction of the batteries" (by the Taikun), and asserting that "thirty days had now elapsed (since the assault on the *Pembroke*) during which the government might have arrested the outrages of this daimio, if enabled to do so." (18) The logic of this despatch was as hazy as its tone was intemperate. It recognized the possibility that the Taikun might not have been enabled to check the course of Chosiu, and yet proclaimed that no delay was admissible. It stated that the opportunity of restraining that daimio had existed for thirty days, when, in fact, the *Pembroke* affair had been known in Yedo only seventeen days. The British Chargé was well aware that the Taikun's government was all this time in great confusion; that its head was detained in Kioto by the gravest necessities of state, and that his personal safety as well as his political authority was menaced by this same rebellious daimio. Mr. Prun, who knew no more and no less of the situation than his colleague did, found a ready excuse for the government's failure to inflict punishment themselves. "This you doubtless omitted to do," he wrote on the 20th of July, "as all your forces at that time were required for the defense of His Majesty the Taikun." (19) The Yedo cabinet did not attempt to conceal the painful embarrassments of their position, and while they promised to "take measures," frankly acknowledged that it would be necessary to "wait some time for that arrangement." (20) The communication of the foreign Ministers were curiously self-contradictory, in the fact that while they admitted the impracticability of immediate action they nevertheless vehemently insisted upon it. On the 29th, Mr. Prun wrote thus—"Your excellencies must see that not even the delay of a day can be justified." (21) In common with his colleagues, he not only assumed to instruct the Japanese in all the details of the course which, he declared, they were bound to take respecting foreigners, but, with the tone of assurance which is preserved to this day by European and American Envoys, gave them

(17) U. S. Dip. Correspondence, 1863-4, p. 1134.

(18) Correspondence respecting Affairs in Japan, 1864, p. 89.

(19) U. S. Dip. Correspondence, 1863-4, p. 1138.

(20) U. S. Dip. Correspondence, 1863-4, p. 1144.

(21) U. S. Dip. Correspondence, 1863-4, p. 1145.

homilies as to the conduct of their own internal affairs. The most casual glance at their published correspondence is sufficient to show that no similar language has ever been addressed to any other government with which the Western Powers were at peace, or with which they desired to remain at peace. The well-known weakness of Japan, and its internecine disorders, made this an easy matter—as its comparative feebleness makes it safe and easy now. It could not then be, and it is not now, openly resented; but it never has been, never will be, and never ought to be forgotten.

The declarations of the government, written and verbal, to the representatives of the four nations, were unchanging in their assurances of good faith, and in their reiterations that nothing but the anomalous political state of affairs prevented them from executing the Treaty obligations with promptness and fidelity. All they asked for was time. The Taikun was engaged in a desperate struggle to maintain the ancient sway of his family—a sway that was imperilled chiefly through the presence of strangers in the land. Yet he endeavored fairly to fulfil his pledges to the strangers. As a vassal of the Mikado, he was compelled to listen to the orders of expulsion issued by the Kioto Court, and not to appear to disregard them. As the medium of communication between the Mikado and the daimios, he was forced to convey to the latter the sentiments of his sovereign, and to publish his decrees. But his secret agents were busy in making known his real views of what was essential to the public welfare, and his chief Ministers were open and undisguised in their avowals, to the foreign representatives, that though their master was compelled to temporize at Kioto, his ultimate actions would prove that his intentions were straightforward and upright. The British Chargé and the U. S. Minister reported these statements, but showed no disposition to credit them. At the present day, their genuineness is seldom questioned. Mr. F. O. Adams, the British Chargé d'Affaires in 1871, whom no person will accuse of anti-foreign tendencies, in his recently published "History of Japan" writes thus: "I think it is quite clear now that the Siogun's Ministers were sincere when they said that the Mikado's edict of expulsion, though conveyed to the representatives as a matter of obligation, would in fact be nothing but a dead letter." (22) The same author, after showing that the Siogun's party succeeded, by a struggle in debate and in the field, which lasted many months, in bringing the contumacious Daimio of Chosiu into disgrace with the Mikado, says: "Thus ended 1863, and it seemed that the wiser counsels of the bakufu (Yedo government) were prevailing in regard to the policy toward foreigners, and that from this time, as the native writer

(22) Adams's "History of Japan :'" Vol. I, p. 306.

complains, 'the scheme of expelling the barbarians fell to pieces like ice during a thaw.'" (23)

In November, 1863, Mr. Pruyn brought forward the claims of the owners of *Pembroke* for damages, which the Japanese at once agreed to pay, but asked for a delay in the settlement. It is not out of place to remark that the Yedo Treasury was greatly depleted by the expenditures inseparable from preparations for a civil war, and by the exactions of the British for other indemnities. Mr. Pruyn also brought forward the case of the *Wyoming*, again urging the point that this ship had been fired upon "before any provocation was given," and stating that he did not wish to demand any compensation for the insult to the flag, but that "if the government were disposed to offer a sum which would provide annuities for the families of the dead, and for the wounded," he would, "for the purpose of giving further proof of friendship and moderation, take the responsibility of settling the entire case on such basis." Let it not be forgotten that these dead and wounded were sufferers in an engagement which the *Wyoming* left Yokohama with the avowed purpose of forcing upon the Japanese. The officials very naturally replied that "the government had been disposed to regard that offence as fairly offset by the punishment inflicted," to which no response was made. (24) The subject was then allowed to rest for several months, during which, however, Mr. Pruyn was actively occupied in pressing new claims for damages sustained by the American citizens. In the course of his correspondence, he made the following remarkable statement, which, apparently, he intended to apply only to responsibilities on the part of the U. S. Government: "There have been very many instances where Japanese have been grossly maltreated by foreigners, and no indemnity asked or paid. Indeed, it admits of some question whether it would be safe, in view of the character of the floating population of the Treaty Powers, to establish the principle of the liability of a government for the act of its individual citizens or subjects." (25) But no such question appears to have entered the Minister's mind, with regard to the liability of the Taikun for Chosiu's deeds.

In March, 1864, Sir Rutherford Alcock returned to Japan, relieving Colonel Neale from his duties as Chargé. From this moment, the British Legation was animated by a new activity in the advocacy of violent measures against the offending daimio. Sir Rutherford was even keener than Colonel Neale had shown himself, in the desire to organize a powerful force for the reduction of the Shimonoseki batteries. Their guiding motives were not, however, identical. In his last despatch, dated March 1st, Colonel Neale wrote: "Unless for the

(23) Adams's "History of Japan : " Vol. I, p. 353.

(24) U. S. Dip. Correspondence, 1864-5, p. 459.

(25) U. S. Dip. Correspondence, 1864-5, p. 485.

purpose of vindicating our right of passage, I am not aware of any detriment sustained to our commerce or navigation in this country by this temporary obstruction." (26) The grammatical obscurity of this sentence does not entirely hide the writer's meaning. He desired to say that he knew of no detriment of the kinds alluded to, and that the reopening of the strait was unnecessary, "unless for the purposes," etc. Sir Rutherford Alcock, on the other hand, immediately took the ground that the existence of the batteries would lead to the overthrow of foreign trade. Moreover, in his first communication to his own government, he broadly accused the Japanese of "firing indiscriminately on all flags," (27) whereas, as has been shown, no English ship had been assailed. Perhaps it is too much to expect that Ministers in the East, when pursuing a cherished design, should be trammelled by mere considerations of fact. That the arrangement of the Shimonoseki expedition was one of the highest objects of Sir Rutherford's ambition, no person who reads the diplomatic papers of the time can doubt. Colonel Neale had just gained much notoriety at home—not altogether of an enviable kind—by the attack upon Kagoshima and the collection of a large amount of money from Japan, and it really seems as if the newly returned Minister coveted a similar distinction. That he was conspicuously enterprising and alert in the matter has not escaped the notice of his countrymen. Mr. Adams says: "Sir R. Alcock now felt that the time for striking a blow had arrived.....The British envoy therefore put himself in communication with his colleagues, with the object of coming to a decision without loss of time." (28) The opportunities were certainly favorable. An unusually large British fleet had been gathered for the Kagoshima affair, and still remained in Japanese waters. The Taikun's Government was in as deep difficulty as ever, and could only interpose protests. And the associate representatives were not unwilling. It was not necessary to consult the home governments, two of which, at least, as the published records show, knew little or nothing about the matter. In May, 1864, Earl Cowley, describing an interview between M. Drouyn de l'Huys and the special Japanese Commission sent to Paris, quotes the French Secretary as saying that the Taikun "was willing to reopen some passage which had been closed to foreign shipping, the name of which M. Drouyn de l'Huys could not remember." (29) Mr. Adams furthermore says that "every month deferred

(26) Correspondence respecting Affairs in Japan, 1865, No. 1, p. 12.

(27) Correspondence respecting Affairs in Japan, 1865, No. 1, p. 14.

(28) History of Japan, Vol. 1, p. 376-7. Sir Rutherford, indeed, did not hesitate to avow himself the leading spirit of the enterprise. Reviewing a part of his own course, he wrote, in August, 1864, as follows:—"On returning to Japan, six months ago, my first object.... was to bind together in unity of policy and action all the other Treaty Powers who had diplomatic representatives, and any material force on the spot to give effect to the resolution which might be taken.... The immediate end in view was the removal of the obstructions to the navigation of the Inland Sea." [Correspondence respecting Affairs in Japan: 1865, No. 1: p. 86.]

(29) Correspondence respecting Affairs in Japan, 1865, No. 1, p. 13.

would render the position more difficult." He could have added that a single week deferred might, at the end, have rendered the expedition impossible, by bringing the imperative injunctions of the British Foreign Office, which will presently be cited.

The labor of securing the co-operation of the envoys, even if it had proved difficult, would doubtless have been of the kind that "physics pain." But it was not difficult. They were all ready to participate, with such force as they could command. Sir Rutherford was constrained, then, only to make such representations as should obtain, in advance, the approval of his official superiors in England. He is a skilful and vigorous writer, though diffuse, and he spared no ingenuity of argument or artifice of rhetoric to present his case in the light best suited to ensure the fulfilment of his plans. It is possible that the vehemence he displayed may have produced a state of feeling totally opposed to that which he desired to create. It is certain that his despatches were overburdened with a bitterness seldom found in documents of state. Pages of obloquy were piled together with an apparent determination to extinguish every spark of sympathy for the Japanese as a people and as a government. Their pretensions to honor, integrity, veracity—every quality of dignity and manliness, were buried beneath the weight of his oppressive irony or ponderous scorn. For their misfortunes he had no word of commiseration. For the convulsions into which the advent of his countrymen, in common with others, had thrown an entire people, he had nothing but ridicule. From the time of his arrival until the month of September, 1864, he rang unceasing changes of injurious accusation and of misrepresentation which was as damaging as if it had been fraudulently intentional. He bore himself not as a minister of peace and good will to a harassed, distressed and tottering government, but as a messenger of wrath and vengeance, quick to conceive and eager to execute schemes of broad destruction. He held himself in the attitude of a power superior in itself alone to the humanity by which it was surrounded; endowed with the wisdom to judge, the right to condemn, and the might to inflict the direst penalties of war upon a nation.

Whether the result accorded wholly with his efforts and his expectations will now be seen.

On the 26th of July, Earl Russell, Secretary of State for Foreign Affairs, wrote to Sir Rutherford Alcock thus: "I have to state to you, with reference to the despatches which I have lately received from you, that Her Majesty's Government positively enjoin you not to undertake any military operation whatever in the interior of Japan; and they would indeed regret the adoption of any measures of hostility against the Japanese government or princes, even though limited to naval operations, unless absolutely required by self-defense.....It may be hoped that the power vested in you by Her Majesty's Order in Council of the

7th of January last, to prohibit, or regulate, or restrict the entrance or passage of British ships into straits or waters of Japan, when such entrance may lead to acts of disturbance or acts of violence, or may otherwise endanger the maintenance of peaceful relations or intercourse between Her Majesty's subjects and the subjects of the Taikun of Japan, will enable you to prevent the occurrence of the necessity for any such measures of hostility to obtain redress for injuries done to British vessels." (30)

Copies of this despatch were communicated to the governments of the United States, France, and Holland, that there might be no misunderstanding as to the position taken by Great Britain. On the 8th of August, Earl Russell wrote recalling Sir Rutherford Alcock, "to explain the actual situation of affairs and confer with Her Majesty's Government as to the measures to be taken." He added: "I do not understand that the passage of the Inland Sea is at all necessary for purposes of foreign commerce, so long as Osaka is not open and the Mikado remains in seclusion at Kioto." (31) With regard to this latter statement it may be mentioned that even with Osaka opened, as it now is, the Inland Sea has still to be entered from the East by straits which are less than six miles in width, and none of the ports between these inner passages and Shimonoseki are legally accessible to foreigners.

On the 18th of August, Earl Russell wrote as follows:—"From your recent despatches and from other trustworthy information, it appears that the injuries inflicted by the batteries and troops of the Prince of Nagato (Chosiu) on ships navigating the Inland Sea, concerned the governments of France, the United States, and the Netherlands; that the French government have expressed themselves satisfied with the punishment they have already inflicted on the agents and soldiers of the Prince of Nagato; that the United States' Minister declined to take steps of a warlike nature till fresh forces of his nation should arrive; that the Dutch envoy and the Dutch government alone desire that Her Majesty's naval forces should proceed to measures of coercion in the Inland Sea. It appears, further that the navigation of the Inland Sea is not necessary for purposes of European and American commerce so long as Kioto and Osaka are shut to foreigners: that the Taikun still professes an intention to chastise the Prince of Nagato for his hostile acts. . . . In these circumstances, Her Majesty's government are of opinion that you should not require Admiral Kuper to act in a hostile manner against the Prince of Nagato." (32)

Again, and finally, on the 25th of August, he said:—"As soon as you can make arrangements for your return home, you will inform the

(30) Correspondence respecting Affairs in Japan, 1875, No. 1, p. 45.—Mr. Pruyn speaks of this despatch as having been "fortunately received after the sailing of the expedition."

(31) Correspondence respecting Affairs in Japan, 1865, No. 1, p. 54.

(32) Correspondence respecting Affairs in Japan, 1865, No. 1, p. 56.

Japanese Government that you are to proceed to England on leave of absence, and that Mr. Consul Winchester will thereupon act as Her Majesty's Chargé d'Affaires. On making over to Mr. Winchester the charge of the Mission, you will caution him in the strongest terms against having recourse to any aggressive proceeding." (33)

Not one of these messages arrived in time to avert the catastrophe. If the first had been sent a few days sooner, the expedition would not have taken place, for the British fleet outnumbered all the vessels of the other powers combined, and without its co-operation success would have been doubtful, and the scheme must inevitably have been abandoned.

The action of the French Minister may be more briefly examined. M. de Bellecourt, who assisted at the earlier conferences over this matter, was relieved, in May, by M. Léon Roches. This gentleman was strange to Japan, and he found it expedient to follow in the path that had been laid out by the older residents. How far he was warranted in doing so is an open question. It does not seem to have been in accordance with the views of his government, and, indeed, there was, in various stages of the affair, an apparent lack of understanding between the French Foreign Office and the Envoy in Japan. The ignorance of M. Drouyn de Lhuys concerning the Strait of Shimonoseki has been mentioned. It is also on record that while M. Roches was actively aiding the projects of the British representative at Yokohama, the Secretary in Paris was assuring Earl Cowley, according to a note from the latter dated August 12th, that "his last despatches" informed him that Sir R. Alcock "had been promised the active support of the Dutch and United States' Ministers, and the moral support of the Minister of France, the latter's instructions preventing him from engaging in hostilities except for the protection of French interests." (34) By this it is made sufficiently clear that the French agent was as positively forbidden as the English had been, to engage, of his own motion, in any aggressive movements.

But there is another important consideration to be looked at in connection with the French share in the work. During the summer of 1864, a Japanese embassy visited Paris for the purpose of discussing and, if possible, settling this and other matters of debate between the two governments. On the 25th of June, a convention was concluded, to be considered as forming an integral part of the Treaty of 1858, of which the following were the first two articles:

"En réparation de l'acte d'hostilité commis, au mois de Juillet, 1863, contre le bâtiment de la marine impériale le 'Kienchang,' sur lequel des coups de canon ont été tirés, dans le province de Nagato, le Gouverne-

(33) Correspondence respecting Affairs in Japan, 1865, No. 1, p. 57.

(34) Correspondence respecting Affairs in Japan, 1865, No. 1, p. 54.

ment Japonais s'engage à verser entre les mains du Ministre de Sa Majesté l'Empereur des Français à Yedo, trois mois après le retour de leurs Excellences les Ambassadeurs du Taikun au Japon, une indemnité de 140,000 piastres Mexicaines, dont 100,000 piastres seront payées par le Gouvernement lui-même, et 40,000 piastres par l'Autorité de la province de Nagato."

"Le Gouvernement Japonais s'engage également à faire cesser, dans les trois mois qui suivront le retour de leurs Excellences les Ambassadeurs du Taikun au Japon, les empêchements que rencontrent en ce moment les navires Français qui veulent passer le Détroit de Shimonoseki, et à maintenir ce passage libre en tout temps, en recourant, si cela est nécessaire, à l'emploi de la force, en agissant de concert avec le Commandant de la division navale Française." (35)

This embassy returned to Japan on the 19th of August. The departure of the united fleet had been fixed for the 20th of that month. But, hearing the nature of the convention that had been agreed upon, the four envoys resolved to suspend action until it could be learned whether the government would or would not subscribe to the various pledges. This delay was merely an empty form. Mr. Pruyn distinctly stated, in a letter to Mr. Seward, that he was "satisfied that the envoys had entered into engagements which the Taikun could not ratify, as he would thereby immediately inaugurate a civil war, and that if ratified they could not be carried out." (36) His conjecture was correct. As regarded the payment of the indemnities proposed, notwithstanding the conviction of their injustice, the government were willing to stand by the promises of the ambassadors. The opening of the Strait, within the specified time, they declared to be impossible. All the Taikun's forces were occupied in a struggle with Chosiu's troops in the interior, and, even if he had had men and ships to devote to the task, the attempt to execute it at that moment would have brought upon him the concentrated hostility of the daimois who sympathized with the powerful agitator. The Japanese Minister, in answering the inquiry, wrote: "Should the convention be carried out, it is certain that civil commotion would be the result, ultimately leading to a rupture of the friendly relations between the two countries" (France and Japan). (37) It was declared that the ambassadors had gone beyond their instructions, and, though they had acted with good intention, their proceedings, on this single point, must

(35) Correspondence respecting Affairs in Japan, 1865, No. 1, p. 55.

(36) U. S. Dip. Correspondence; 1864-5, p. 544. On this point, Sir Rutherford Alcock expressed himself thus:—"If the Taikun ratified the convention, it was clear he must accept a position of public antagonism to the Mikado and the powerful partisans of a policy hostile to foreigners, which hitherto it had been his main care to avoid, as calculated to ensure his perdition by an order for his deposition from Kioto, if by no other means. . . . The only alternative offering any chance of safety lay in the repudiation of this Treaty, and a refusal, on the ground of inability, to carry it out. This course was taken." [Correspondence respecting Affairs in Japan; 1865, No. 1; p. 88.]

(37) U. S. Dip. Correspondence, 1864, p. 549.

be disavowed. Errors of judgment like theirs are not unprecedented in the history of domestic wars. The declaration of the chief Minister of State under President Lincoln, that the contest which lasted more than four years would be terminated in three months, is not forgotten. It was as impracticable for the Taikun to take immediate possession of Shimonoseki as it would have been for the United States' government to open the Southern ports within the limit of Mr. Seward's famous ninety days. The Paris convention was a blunder, that was all. But it served to reveal the disposition of the French Government to deal with the matter on peaceful and reasonable terms—by negotiation, and not by making haste to shed blood. This circumstance, no less than the fact that his instructions, according to M. Drouyn de Lhuys, "prevented" M. Roches from engaging in hostilities, should have weighed effectively against the representations of his urgent colleagues. The instructions, whatever the French Foreign Office may have intended, did not in fact prevent him, and he forthwith sanctioned the departure of his three ships-of-war with the rest of the squadron.

The Minister of the United States, on or about the 1st of August, 1864, received a written promise, the terms of which were dictated by himself that on the 5th of September the sum of twelve thousand dollars, principal and interest of the *Pembroke* claim, should be paid. The government handed him a document empowering him to collect public dues, at Yokohama, for that amount, in case it was not otherwise tendered. Respecting the extra two thousand dollars, Mr. Pruyn wrote home:—"Some months before, I had notified them (the government) that I should expect interest, thinking it would hasten the payment of the principal sum.....The owners of the *Pembroke* neither applied for nor expected interest; nor did I ask for it on their behalf, but only to accelerate the payment of the principal." (38) The process of reasoning by which Mr. Pruyn justified to himself this extraordinary method of doing business would be a subject for curious speculation. But the amateur of diplomatic curiosities has only to turn the pages of the correspondence from Japan to any foreign government, at this period, to find a surfeit of them. However, this demand was now virtually settled, and it was the only demand, having even a shadow of reason, that could be brought by the United States against the Japanese, in connection with the Shimonoseki affair. Mr. Pruyn said, on the 10th of August:—"The owners will have received a very large indemnity, in view of the small loss they sustained;" (39) but he was at that moment in full co-operation with the movements for the combined attack, for the departure of which the 20th of the month had been designated, and which actually did begin before the day agreed to by the Minister for the pecuniary settlement.

(38) U. S. Dip. Correspondence, 1864, p. 536.

(39) U. S. Dip. Correspondence, 1864: p. 537.

The means of tracing the course of the Dutch representative can not be easily commanded, but it seems probable that he was not restrained by his government, and was allowed to take such action as seemed to him desirable.

A final appeal for forbearance was made by the Japanese, August 19th, when the Plenipotentiary for Foreign Affairs, in an interview with the four Envoys, stated that the government were "most anxious that no steps should be taken at present by any Foreign Powers. Various causes had tended to interfere with and delay the adoption of measures by the Taikun; among others, the breaking out of disturbances in the provinces north of Yedo, rendering necessary the despatch of large bodies of troops in that direction; but it was still the intention of the Taikun's government to take measures for the removal of the existing obstructions to the navigation of the Strait." He added "that no doubt much delay had taken place, but still the Go Rojio (cabinet) trusted the foreign representatives would rely upon the action of the Taikun's government, and take no steps themselves to force the passage." (40) During this conference, allusion was made to past efforts of the Yedo authorities to effect an adjustment by negotiation with Chosiu. The United States' Minister inquired "whether it was true that among the measures taken to bring about a more peaceable solution, the despatch of Envoys to the Prince of Chosiu had been adopted, and that they had been murdered in his territories." The Japanese officer replied that "it was true Envoys had been sent, and only their servants had returned."

One single attempt had been made by the foreigners, in the course of these discussions, to communicate directly with the hostile daimio. Two young students who had been sent to England by Chosiu, to be educated, (41) returned to Yokohama with the purpose, it was understood, of endeavoring to reach their chief, and to dissuade him from combatting the power of the Western nations. Sir Rutherford Alcock supplied them with the means of regaining their own province, for the reasons, he said in a despatch to Earl Russell, that he was "anxious to avoid, if possible, the necessity of proceeding to extremities," and "felt the necessity of ascertaining by observation the nature and extent of the fortifications and obstructions raised by the Prince." (42) They were sent with letters of complaint and warning from the four Ministers, in a British steamer, which was accompanied by a second vessel-of-war. "Twenty days," Sir Rutherford wrote, "were given to this undertaking, and the result, so far as Chosiu's attitude was concerned, amounted to nothing." (43) There is no record of what the result

(40) Correspondence respecting Affairs in Japan, 1865, No. 1, pp. 81, 82.

(41) Ito Shunsuke and Inuye Bunda, both of whom afterward rose to high public positions.

(42) Correspondence respecting Affairs in Japan; 1865, No. 1: p. 87. To Admiral Kuper, Sir Rutherford wrote:—"You will no doubt deem it expedient to profit by the opportunity of reconnoitering the position," etc. [*Ibid.* p. 71.]

(43) Correspondence respecting Affairs in Japan, 1865, No. 1, p. 88.

amounted to, so far as the opportunity of examining the batteries was concerned. Perhaps a mind less bent upon a foregone conclusion would have taken a different view of even the political effect of the experiment. The statement of the young Japanese, after carrying out their design, was thus reported by Mr. Satow, one of the interpreters of the British Legation:—"They commenced the delivery of the communication with which they were charged by saying that they had found their prince and had given the four letters to him themselves; that he had consulted on the subject with his chief retainers, and had come to the following conclusions: that he perfectly acknowledged the truth of what was contained in the documents, and was conscious of his own inability to cope with the forces of Western nations. But he was acting on orders which he had received, once from the Taikun and oftener from the Mikado, and not on his own responsibility, in consequence of which he was unable to give the desired reply to the letters without having first received their permission to do so. For this purpose he intended to go up to Kioto and impress his views on the Mikado, which he calculated would take about three months, and he begged that the Foreign Powers would delay operations for that period." (44) It need hardly be set down that, although twenty days were allowed for the delivery of the messages and the receipt of an answer (and for observation of the fortifications), no idea was entertained of giving the daimio ninety days to go to the capital, through a country disturbed by preparations for civil war, and to persuade the sovereign and his advisers to alter their whole national policy and accept the conditions which the foreign representatives were disposed to enforce. The expedition was ready, and could not be delayed on such a chance. Adopting the phrase of Sir Rutherford, the result, so far as the attitude of the Envoys was concerned, amounted to nothing.

The squadron sailed on its errand of destruction on the 28th and 29th of August. It consisted of nine British, four Dutch, and three French ships-of-war. A small chartered vessel, *Takiang*, "with an officer, a party of men, and a gun from the corvette *Jamestown*," was sent by the United States' Minister, to show that, although he had no force at his disposal, his spirit and sympathy were with the enterprise. The four Ministers agreed, in a joint memorandum, that the work of extirpation must be wholesale and unconditional. They announced their decision, "in the possibility of the Prince of Chosiu being intimidated by the imposing nature of the force brought against him, and not firing, to request the naval officers, notwithstanding, to destroy the batteries." "The character of this expedition," they added, "ought to be regarded no otherwise than as a chastisement to be inflicted on an outlaw or a pirate." (45) By way of supplement Sir R. Alcock privately suggested

(44) Correspondence respecting Affairs in Japan, 1865, No. 1, p. 74.

(45) Correspondence respecting Affairs in Japan, 1865, No. 1, p. 80.

the capture of the castle of Hagi, belonging to Chosiu, and situated in a town remote from Shimonoseki. (46)

The attack was commenced on the 5th of September, and was continued for a part of three days. On the 8th the batteries were all silenced, and the labor of transferring their guns to the ships was undertaken. While this was going on, a messenger from the daimio appeared, "to negotiate for a termination of hostilities." Admiral Kuper wrote:—"Having conferred with Rear-Admiral Jaurès, it was determined that, to convince us of the sincerity of the Prince's desire, it was indispensable that we should receive a written requisition, under his own hand, to that effect; and the Envoy having observed that an interval of two days would be required to obtain the desired communication, a suspension of hostilities for that time was agreed upon, and the squadrons were immediately directed to hoist flags of truce. It was, however, stipulated that the armistice should not interfere with the work of embarking the guns, then in progress, and it was accordingly proceeded with and completed." (47) That is to say, the white flag was displayed by the assaulting party to warn the Japanese that their operations must cease, while those of the foreigners were continued without interruption.

As a matter of course, the several engagements, both by sea and on the land, resulted in the complete success of the allies. Admiral Kuper now found it expedient to present himself in a diplomatic character. In his interviews with representatives of Chosiu, (48) he assumed the usual lofty tone of foreign officials, insisting on seeing the daimio personally, though assured that he was in strict seclusion, in consequence of his disgrace by the Mikado, and could not possibly go abroad; declaring that he and his people would visit the town of Shimonoseki, and that if any of them were attacked, he would destroy the place, though reminded that the excitement was great, and many "bad characters" were about, and that the native officials could not watch everybody; announcing that an indemnity would be required "in consideration of sparing the town of Shimonoseki," and for the expenses of the war; threatening that if all foreign demands were not acceded to within two days, he would take Shimonoseki and make war as if no truce had existed; denying the right of fortification, even for defense against unfriendly Japanese nobles, and otherwise displaying the habitual arrogance of Europeans in the East which springs from the consciousness of superior physical force, and finds its fit manifestation in striking an opponent the hardest when he is down. With regard to the indemnity, the Japanese messengers asked what the sum would probably be, and exhibited a straightforward statement of the resources of the province.

(46) Correspondence respecting Affairs in Japan, 1865, No. 1, p. 78.

(47) Correspondence respecting Affairs in Japan, 1865, No. 1, pp. 102, 103.

(48) Correspondence respecting Affairs in Japan, 1865, No. 1, pp. 115 et seq.

"We cannot take the amount of revenue into consideration at all," said Admiral Kuper; he (Chosiu) should have counted the cost before commencing a war with Foreign Powers. He will have to pay the amount demanded now." "It is absolutely impossible," said the principal commissioner, "to give more money than we have. We are very anxious for peace, but at the same time our money resources are limited, and the prompt payment must in some measure depend upon the amount." "If he has not the money himself," retorted the admiral, "he can borrow it from the government." Nobody knew better than Admiral Kuper that Chosiu was at open enmity with the government. His language throughout was that of a conqueror who is determined to trample his vanquished adversary into the dust.

In the course of these conferences, the alleged orders of the Taikun, that attacks should be commenced on foreign ships, were produced. They do not justify the interpretation put upon them. They were not even original documents. The copy of the only one said to be signed by the Taikun was an answer to the Mikado's decree of expulsion, and was as follows:—"I have the honor to inform your Majesty that, with regard to the time when the foreigners are to be expelled, I have decided to cease communications with them, without fail, from the 10th of the fifth month. I will also inform all the daimios of this decision." (49) No direct communication of any kind, from the head of the Yedo Government to Chosiu, was shown to exist. Nevertheless, in the next following interview, at Yokohama, between the four Envoys and the Japanese Ministers, the former chose to assume that the pretended instructions had been issued.(50) The French representative said that "it was now no longer a matter of suspicion, but of certainty, and the documents placed in the Admiral's hands proved, that the whole of these outrages and flagrant violations of Treaties by the Prince of Nagato were really the acts of the Mikado and Taikun." The principal Japanese officer in the party promptly replied that no order had ever been given or transmitted by the Taikun to fire upon foreign ships; that the fact of the government's opposition to Chosiu's action had been proved by the delegation of an aide-de-camp to cause that daimio to cease hostile proceedings, which messenger had been murdered while endeavoring to discharge his mission; that the apparent ambiguity of the Taikun had been explained and was understood by the representatives to be unavoidable, "since, had he openly refused to carry out the orders received from the Mikado, he was liable to be deposed, and his dynasty might have been destroyed." Notwithstanding the utter want of evidence to support their broad charge of complicity, the Envoys never retracted it, either to their own governments or that of Japan. And again, in this meeting they under-

(49) Correspondence respecting Affairs in Japan, 1865, No. 1, pp. 113.

(50) Correspondence respecting Affairs in Japan, 1865, No. 1, p. 123.

took to advise and direct the whole system of internal Japanese policy, according to their various judgments and caprices.

Before dismissing the subject of the Taikun's alleged orders to Chosiu, it is desirable to take note of the tone held in presence of the Yedo authorities, on the one hand, and that adopted with a special messenger from the daimio, who came to Yokohama on the 10th of October. To the Taikun's agent it was emphatically declared, on the 18th of September, that his master was to be held responsible for the attacks on the foreign ships. It may seem incredible, but it is nevertheless true, that, twenty-two days later, in a discussion with Chosiu's agent, who endeavored for his own purposes to fix this responsibility upon the Taikun—that is to say, precisely where the Envoys had fixed it—Sir R. Alcock and Mr. Pruyt assumed the opposite ground, and denied the truth of the very allegations they had themselves made or subscribed to. They did not even trouble themselves to put the case in a new form. They adopted, as the expression of their original views, the arguments and almost the exact language that had been used by the Taikun's Ministers. (51) And to these gentlemen the world is indebted for much of the material of which the theories of Japanese dissimulation and duplicity—the “double-faced policy,” as they call it—are principally made up.

It should here be stated, to avoid any appearance of injustice to Sir Rutherford Alcock, that, notwithstanding the former injunctions against aggressive proceedings, Earl Russell wrote to him, on the 2nd of December, after all was over, as follows: “Your despatch of the 28th of September” (in which the victorious results of the expedition were described) “is a successful vindication of the policy you have pursued.” Whether Earl Russell was wholly clear in his own mind as to exactly what he was now approving, will probably always remain a question; for, in the same communication, he alluded to his despatches of July 26th, and said: “Those despatches, you will understand, remain in full force.” (52) It will be remembered that, on July 26th, Sir Rutherford was positively forbidden to undertake military operations, except in self-defense. The inconsistency, however, is not greater than that which characterized the judgments of the Home Governments in almost every stage of these proceedings.

We now come to the last branch of this fruitful subject—the exaction of the Indemnity, and its gradual payment by the Japanese.

The designs of the Foreign Representatives, on this point, first took

(51) Correspondence respecting affairs in Japan, 1865, No. 1, p. 134. In refuting the accusation of complicity, the Taikun's agent said, Sept. 18th, that the document “did not order the Prince to fire upon foreign ships, and the proof that such was not its proper meaning might be found in the fact that although a similar order was communicated to all the other daimios, he alone had put that interpretation upon it.” The Envoys of the United States and England, addressing Chosiu's messenger, Oct. 10th, said that the missive “did not explicitly order any daimio to fire upon foreign ships. . . . And the proof that such was not the necessary reading of the order was to be found in the fact that no other daimio had so interpreted it.”

(52) Correspondence respecting Affairs in Japan, 1865, No. 1, p. 127.

definite shape in a conference held Sept. 23rd, 1864, between the four Ministers and the Taikun's agents. The report of this meeting is marked "confidential," and, though published in the U. S. Correspondence, does not appear in the English Blue Book. The British Envoy, speaking for all, said that the claims, "if pressed, would no doubt amount to a very considerable sum," but "it was not the desire to extort money." He therefore suggested that the Taikun should "make arrangements for the opening of the port of Shimonoseki, or some other port more convenient in the vicinity, in lieu of such payment, at the option of the Treaty Powers." (53) At a subsequent interview with the Yedo cabinet, this proposition was repeated, and supported by the declaration that Chosiu himself was willing to have Shimonoseki unclosed — a declaration sustained by no evidence whatever. (54) The officials replied that "it was impossible for them to agree to open another port" and that "they would prefer to assume the payment of the indemnities." The foreign Ministers, from that time to the present moment, have never ceased to insist upon the adoption of their chosen alternative, and of late years their demand has grown from its original comparatively modest dimensions to a requirement that the whole empire shall be made free of access. The government, on the other hand, have never wavered in their resistance to a proposition involving peril and disaster their country.

A convention was signed on the 22d of October, by which the amount payable was fixed at three millions of dollars. The Japanese made no complaint respecting the magnitude of the sum, nor would it have been listened to, if they had done so. That it was exorbitant, and was deliberately intended to be exorbitant, is as completely established as any fact connected with this miserable business. It was determined, by concert, that the claim should be in excess of the Taikun's ability to pay. A moderate demand could be promptly liquidated. An extortionate one might compel him to yield to the pressure for the opening of an extra port. Mr. Prunyn makes no concealment of this piece of beautiful diplomacy, which might otherwise have remained in obscurity. "The British Minister and myself," he says, "prior to meeting the Japanese commissioners, had agreed on two millions of dollars as the sum to be paid." The suggestion to take advantage of the opportunity of coercion, appears to have come from M. Leon Roches. Mr. Prunyn readily assented to his proposition, and agreed to "fix the amount at

(53) U. S. Dip. Correspondence, 1864-5: p. 566—It is worthy of note that, at this conference, M. Roches, the French Envoy, although he had been in Japan four months, showed himself so ignorant of even the geography of the country to which he was accredited as to speak of the Mikado, at Kioto "being almost within hearing of the foreign artillery" at Shimonoseki. He was just as much within hearing of it as of the voice of M. Roches, then speaking. Shimonoseki is farther than Yokohama from Kioto. The distance is about 300 miles in a straight line: as the crow flies, or, as M. Roches would perhaps prefer, as the sound of artillery travels.

(54) U. S. Dip. Correspondence, 1864-5, p. 568.

three millions of dollars, because he thought it more likely to lead to the substitution of a port as a material compensation." (55) "The amount agreed on," he adds, "will not be regarded as unreasonable." It was just one half as large again as that which he had himself declared to be reasonable. (56)

When the conditions of settlement were communicated to the respective governments, a prolonged discussion arose upon the question as to which of the stipulated alternatives were preferable. Holland and France were emphatically in favor of the pecuniary payment. The United States appeared indifferent, and took small part in the correspondence. England, with a clearer perception of the prospects of future gain, was unusually earnest in urging the acceptance of a new port. But all these debates were rendered useless by the announcement, in April, 1865, that the Japanese adhered to their determination to pay the money and make no territorial concession. At the same time, they forcibly represented their financial embarrassments, and asked to be released from the promise to make quarterly payments, at the outset. In transmitting this request, the British Chargé, acting in the Minister's absence, wrote thus: "While I felt sure that the government, rather than consent to the opening of Shimonoseki, would assume for a time the responsibility of the indemnity even if it had been double the amount, the known state of the finances of the Taikunate . . . induced me to believe that the obligation to pay so large an indemnity as \$3,000,000 would be felt as a very grievous burden. . . . Enough is known to satisfy us that the resources of the Japanese government, so far as the power of making large money payments is concerned, must be very limited." (57) He did not, however, favor the appeal of the Japanese, but suggested that advantage might be taken of their difficulties to impose new commercial obligations upon them, such as a reduction of their tariff, or the opening of Hiogo before the date agreed upon. Mr. Pruyn objected to giving the Japanese any time, and it appears from his despatch of April 24th, upon this subject, that the other Envoys did likewise. "I concur with my colleagues," he said, "in the opinion that no such extension should be granted." (58) The result was the submission of a fresh proposal by England, offering the remission of two-thirds of the full amount, upon these conditions, viz.: the immediate freedom of Hiogo and Osaka for purposes of trade; the ratification of the Taikun's Treaties by the Mikado, and a modification

(55) U. S. Dip. Correspondence, 1864-5, p. 532.

(56) Mr. Portman, who was attached to the U. S. Legation, and was afterward Chargé d' Affaires, wrote subsequently that the amount was "much larger than was originally intended," and that in Mr. Pruyn's own opinion, it was "too large." [U. S. Correspondence, 1865-6. Part III; p. 257.]

(57) Correspondence respecting Affairs in Japan, 1866, No. 1, p. 14.

(58) U. S. Diplomatic Correspondence, 1865-6, Part III., p. 247.

of the Tariff, on the basis of a general five per cent duty. (59) The British Foreign Office took infinite pains to convince the governments of Holland and France of the expediency of this plan and at last succeeded in gaining from them a reluctant acquiescence. That of the United States, as before, showed little interest, and was ready to agree to anything. Accordingly, in November, 1865—the first instalment of \$500,000 having been paid in August—the representatives of the four Powers formally presented the newly-offered terms. The conciliatory intentions of the Japanese Government were shown by an immediate assent to two of the conditions, but the abrupt opening of the ports in question they still declared to be impracticable. (60) It was admitted to be so by the new British Envoy, Sir H. Parkes, who wrote, Nov. 28th, that “those places could not be occupied by foreign merchants without considerable risk.” (61) But the other concessions were eagerly accepted. The same Minister stated that “the confirmation of the Treaties by the Mikado formed by far the most valuable of the conditions we were instructed to accept in exchange for two-thirds of the indemnity.” The reduction of the Tariff, also, was obviously of far more lasting importance than the mere opening of two trading places a couple of years before the stated time. Of course, it will be supposed that, having secured the two more vital points of the three they required, a corresponding abatement was made in the pecuniary demand. Not so. Sir H. Parkes’ views in this respect may be taken as representing those of all the Ministers. Having shown the preponderating advantages obtained, and acknowledged that Hiogo and Osaka could not be safely occupied, he said:—“If, however, we have not secured the opening of those places, we have, on the other hand, relinquished no portion of that money, although two of the three conditions we were willing to receive in exchange have been secured.” (62) This exemplification of the principles of equity upon which international transactions in the East are conducted by Western Powers was formally approved by each of the governments concerned.

The above-described negotiation took place at Osaka, where the Taikun, with his Court, was temporarily stationed, the better to control affairs in the still pending contest between the government and the daimio of Chosiu. Sir Rutherford Alcock, in his last official paper before leaving Japan, recorded the following statements and convictions: “All Treaties made with Japan have been forced upon it; and it is in vain to expect that Treaties so entered into can be maintained by a religious abstinence from the use of force as a means.....All diplomaey

(59) Correspondence respecting Affairs in Japan, 1866, No. 1, p. 22; Earl Russell to Earl Cowley.

(60) U. S. Diplomatic Correspondence, 1865-6, Part III., p. 269.

(61) Correspondence respecting Affairs in Japan, 1866, No. 1, p. 84.

(62) Correspondence respecting Affairs in Japan, 1866, No. 1, p. 84.

in these regions which does not rest on a solid substratum of force, must, of necessity, fail in its object." (63) His successor, animated by the same faith, took with him a powerful naval force, which was strengthened by ships-of-war of France and Holland, on his visit to the place of meeting. At the termination of the proceedings, he wrote to Lord Clarendon as follows: "I have felt, my Lord, the grave responsibility which attaches to the movements of a fleet, even when undertaken, as in this instance, for the attainment of a purely peaceful object; but I was also sensible that this responsibility should not deter me from the adoption of the measures that appeared to me best calculated to give effect to your lordship's instruction." (64) He had previously expressed his opinion that the opportunity should not be lost of showing that the means of defending "Treaty Rights" was still at hand. (65) His diplomacy rested on a solid substratum of force.

Years of anxiety and danger passed, culminating in final destruction to the Taikun's Government, which in 1866 and 1867, had become utterly impoverished. Two additional instalments, of \$500,000 each, were paid at the appointed times, after which there was a long delay. In March, 1867, another demand was made, to which the Japanese replied by confessing their straitened circumstances, stating that the very conditions acceded to in 1865—the reduction of duties, etc.—had increased the difficulty of procuring money, and asking for a further postponement. This request was favored by the foreign Ministers, and was at once complied with. Meanwhile, the revolution of 1868 occurred, involving the overthrow of the Yedo rulers, the resumption of executive authority by the Kioto Court, and a greater exhaustion than ever of the public treasury. The new government again sought an extension of time, agreeing, in return, to defer raising the export duties on tea and silk, which they had now an acknowledged right to do, even under the arbitrary conventions by which they were hampered. This equivalent was afterward admitted by Sir Harry Parkes to be of value. (66)

It is not denied that the Japanese at last used all the limited means in their power to avoid the payment of the latter half of the Indemnity. Their conviction of the injustice of the claim was only strengthened by time. The embassy that visited the Treaty Powers in 1872 was welcomed in Washington with assurances that at least the balance of the share due the United States should not be exacted. A bill relinquishing this amount passed the House of Representatives, but was delayed

(63) Correspondence respecting Affairs in Japan, 1865, No. 1, p. 154.

(64) Correspondence respecting Affairs in Japan, 1866, No. 1, p. 84.

(65) Correspondence respecting Affairs in Japan, 1866, No. 1, p. 67. Mr. Portman, U. S. Charge, with unconscious humor, spoke of the visit of the representatives to Osaka, backed by a squadron of nine ships, to make new demands, as "so evidently an act of peace and good will that he did not hesitate in co-operating in it." To what extent his actions were guided by these sentiments may be discovered in his successive despatches. [U. S. Dip. Correspondence, 1866-7, Vol. II., p. 189.]

(66) U. S. Dip. Correspondence, 1873, Vol. I., p. 412.

in the Senate. As a matter of courtesy and compliment, this demonstration may have had weight. As a token of sound justice or liberality it was worthless. The entire loss and expense sustained by United States' citizens and by the government in the Shimonoseki operations was in the neighborhood of \$50,000. The sum received from Japan, exchanged into American currency, with the accrued interest, was upwards of \$700,000. (67) But even this partial act of grace was never carried out, as proposed.

During their visit to England, the ambassadors presented a memorandum to the Foreign Office, which was understood to be an application for remission of the unpaid liability, although no such application was made in direct terms. They instanced the fact that England's "desired end" was that of "developing the commercial relations of the respective countries," and pointed out that a "heavy pecuniary burden," imposed upon Japan, could in no way assist that end. They recalled what had been done by the governments of the Taikun and the Mikado in the way of granting "material substitutes:"—the reduction of the tariff of 1866; the Imperial sanction to the Treaties; the opening of the great mercantile port of Osaka, at an earlier period than that originally required, and the expenditure of more than a million of dollars in the construction of light-houses at the open ports and along the coasts. (68) To Sir Harry Parkes, who was then in England, the task was assigned of preparing a reply. In regard to the tariff, he accused the ambassadors of alleging that the revision took place "earlier than the time appointed." This is an error. They did nothing of the sort. They said: "We were required to revise our tariff before the term of ten years fixed for a revision of treaties." It was well understood that the import and export duties were subject to a change of some kind—not necessarily reduction—five years after the opening of Kanagawa; but the Japanese had gradually come to perceive, what they did not at first see or consider, that the tariff was an item of the highest importance in their convention, and that the period for interfering with it ought properly to have been when the Treaties, as a whole, were reconsidered. It should be clearly remembered that the condition demanded in 1865 was not revision, but reduction of the tariff. The Japanese were not to be heard on their side of the question, which is all adverse to a low rate of duties. Absolute abatement was the command, and it had to be obeyed. Sir Harry Parkes remarked that "the new tariff can be shown to be more advantageous to their interests than the old one." This was, no doubt, the genuine conviction of the British Minister; but the question is one in dispute the world over, and the Japanese are almost unanimous in the belief that the present arrangement is ruinous to

(67) *Treaties and Conventions between the United States and other Powers*: Washington, 1873, p. 1041.

(68) *U. S. Dip. Correspondence, 1873, Vol. I., p. 408 et seq.*

their national prosperity. But, in point of fact, it does not matter whether it is or is not injurious to them. That is not the issue. It was a concession demanded and yielded; and it was taken as a "material substitute" for payment at a particular time. If it had enriched Japan beyond all other nations, this result would not have affected the obligation of the British to recognize it as a concession.

Sir Harry Parkes also said that the Japanese "should remember that the refusal of the Mikado to ratify the Treaties would have been a hostile act," and this opinion was adopted and put forth by Lord Granville in an interview with the Ambassadors. Here, again, a totally irrelevant point was raised. The ratification was accepted with exultation, in 1865, as a paramount advantage, and it could serve no purpose, legally or morally, to bring it forward, in 1872, in any other light. But the position, in itself, was not tenable. If it could be shown that the Mikado had ever authorized and empowered the Taikun to conclude these Treaties, then, indeed, the failure to subscribe to them might have been unwarranted and an evidence of hostility, according to public usage. But it is not pretended that such was the state of affairs. The Mikado was required to sanction agreements that had been made years before, without his knowledge and against his express injunctions. The only demonstration approaching hostility in the transactions at Osaka was the bringing together, by the foreign envoys, of a large squadron, as a "solid substratum of force" for Western diplomacy to rest upon.

Respecting the establishment of light-houses, the opening of Osaka, and other benefits and privileges, Sir Harry Parkes observed that they had either proved to be of trivial consequence, or, when advantageous, had been as much so to Japanese as to foreigners. As has been shown above, this argument is wholly destitute of weight. When political and commercial renunciations of national rights are exacted as part of a mutual bargain, and are accepted as an adequate fulfilment of that bargain, it is preposterous to claim, years afterward, that the conditions have failed to satisfy the expectations of those who invented and imposed them. And if a task involving an outlay of a million of dollars was undertaken for the comfort and security of foreigners, the obligation on their part is not in the slightest degree lessened by showing that the Japanese may also have derived some good by the same means.

The efforts of the ambassadors were unavailing. All that they could obtain was a promise that if Japan would undertake to remove "the restrictions upon trade and intercourse which still existed," the question might be considered. Thus, in 1872, as from the beginning, the indemnity continued to be used as a powerful instrument for advancing the schemes of foreign trade. It had been first fixed at a rate ascertained to be beyond the ability of the Japanese to pay; and, through this fore-ordained and compulsory powerlessness to meet the engagement forced upon them, they had already been constrained, at different periods, to

agree to a long series of peremptory requirements, almost every one of which was of far greater scope and of superior importance to foreign interests than the distribution of the entire three millions of dollars could possibly have been.

Soon after the return of the embassy, in 1873, a combined effort was made by a majority of the foreign representatives to secure a pledge that the whole empire should be thrown open with the least possible delay. The Ministers of England, France and Holland again displayed the weapon which had grown familiar to their hands from long and constant use." (69) If the coveted privilege were granted, the outstanding claim for the Indemnity should be abandoned. The U. S. Envoy did not join in this combination. He knew that public opinion in his own country, so far as it had been formed at all upon the subject, was opposed to any further exaction. There was even a movement in favor of restoring the amount that had been paid. Mr. Bingham caused the Japanese government to be informally notified that he desired no part of the money to be offered to him. In the absence of particular instructions, he preferred to be relieved from the responsibility of either accepting or declining it. There can no doubt that, personally, he was utterly disinclined to receive a further payment. In this feeling, at least in the expression of it, he appears to have been alone. The other three Ministers concerned would not hear of any exemption without enormous concessions which the Japanese felt that they could not assent to. The answer to the proposal was, first, that the surrender of \$1,500,000 would be no fair, nor yet approximate, equivalent for the opening of the country, even if such a privilege could be purchased by money at all; (70) and secondly, that the representatives of three Powers had not, by themselves, the right to negotiate for the opening of the Empire to all; or, in other words, that a money compensation offered by France, Holland and England, even if it would entitle them to admission, could not affect Germany, Italy, Russia, and the various other nations with which Japan had Treaties, and most of which had entered into relations with her after the occurrence of the Shimonoseki affair. At the same time, the government showed the impossibility of making any discrimination in the matter, such as giving free access to some and excluding others. The Ministers were more persistent than

(69) It is well known that one of them, the most active and untiring of the whole corps, expressed the conviction that Japan was now straitened for money (as she had been in 1863) and that a prompt payment would be impossible; failing which, the united demand for the opening of the nation could not be resisted. Parodies are not always successful. The noble expedient of ten years before failed in its new application.

(70) M. Drouyn de Lhuys had written, in 1865, that the opening of Hiogo and Osaka, two years before the stipulated time, would "have been alone of a nature to justify the abandonment of the indemnity." He would "feel warranted in substituting it without hesitation." France was ready, in 1865, to surrender her share of the money for the privilege of two years' trade at two ports. In 1873, she demanded as an equivalent for a smaller amount, the perpetual opening, for commercial purposes, of the whole country.

they had ever been before. They are charged, upon high foreign as well as native authority, with having in certain instances urged their demands with a total disregard of diplomatic amenities, and a violence shocking to every sense of social propriety. It is publicly known that they took the unprecedented step of directly appealing to the sovereign, in what was expected to have been an ordinary New Years' address of courtesy, on behalf of their cherished design. When the document was submitted to the Foreign Office, previous to its delivery, the expediency of rejecting it was seriously debated. It was determined, however, to let it pass, and to introduce a fitting phrase of rebuke in the Mikado's reply. (71) Baffled by the steady attitude of the government, the Ministers of the three Powers did not, naturally, relax their demand for the Indemnity. The Japanese saw that it was now useless to hope for any further consideration, and the last instalments were delivered to the agents of England, Holland, and France in the summer of 1874. (72)

The Minister of the United States had been confident that his course would receive the approbation of his government and of his countrymen at large. He was notified that, as Congress had taken no final action in the matter, and as the other three nations had accepted the money, he was not authorized to refuse the balance due. He was instructed to ask for it, and get it, as the rest had done. The amount was handed over without a word, but, though they gave no sign, it is easy to imagine the effect upon the Japanese of finding that the whole pretence of liberality and good-will had been a delusion and a snare. It is understood that the Secretary of State represented that the omission of the Senate to confirm the decision of the House of Representatives left him no option.

The history of the Shimonoseki Affair ends here, unless, as has been said, the voluntary action of some one of the four Powers should give it new vitality. This is a most unlikely contingency, and, even if such an event should happen, it is by no means sure that the attempt at

(71) The accuracy of this statement has been several times denied by those who are not properly conversant with the facts. Versions of the Mikado's brief speech, on this occasion, have been published, in which his allusion to the independent rights of Japan does not appear; but the allusion was nevertheless made, and was well understood to be a declaration that the question of a more extensive foreign intercourse was one to be determined by the sovereign will of Japan alone, and not by pressure unduly exercised by foreign Ministers.

(72) It may be supposed that the cry for the unclosing of the Empire was now hushed. Such was not the case. A letter from Japan, August 14th, 1872, relates the sequel: "The representatives of the European governments concerned have displayed singular bad faith in the adjustment. It will be remembered that they offered, many months ago, to relinquish their claim if Japan would throw open the country. The Japanese elected to pay the demand and keep the country closed for the present. In common honor, the foreign envoys were bound to cease their clamors for free travel and commercial intercourse. They forced Japan to accept a difficult condition, and they now refuse to hold to their side of the agreement. They insist, with more violence than ever, that the Empire shall be unclosed. Their action is pointedly compared to that of a highwayman who cries 'Your money or your life,' and, having extorted the money, proceeds to take the life as well."

reparation would be followed by the happiest consequences. The pound of flesh has been hewn away, and many drops of blood have fallen with it. What hand could be found dexterous and gentle enough to heal the wounds? What art could hide the ineffaceable scars left by years of humiliation and oppression?

In the preparation of the above narrative, the opportunities of reference to official documents have been limited. Only such diplomatic reports as were casually and accidentally at hand in Tokio could be cited. The correspondence of France and Holland was inaccessible. But enough has been extracted to enable impartial readers to judge in what manner Japan, struggling to emerge from the darkness of centuries, and to plant itself in a respectable rank among the civilized nations, has been encouraged and stimulated by the Great Powers of the world. The record of Shimonoseki stands as a type of the methods employed, during a period of nearly twenty years, for promoting friendly intercourse and reciprocal esteem through the "diplomacy which rests on a solid substratum of force."

E. H. HOUSE.

Токио, *April*, 1875.

