

日米修好通商条約(抄)

(日本国米利堅合衆国修好通商条約)

署名 一八五八年七月二九日(江戸)

効力発生 一八六〇年五月二三日

帝國大日本君と米利加アメリカ(合衆国大統領と親睦の意を堅くし且永続せしめん爲に兩國の人民貿易を通ずる事を処置し其交際の厚からん事を欲すか爲に懇親及び貿易の条約を取結ぶ事を決し日本大君は其事を井上信濃守岩瀬肥後守に命し合衆国大統領は日本に差越たる米利加合衆国のコンネルゼネラル總領事(トウシセント、ハルリスに命し双方委任の書を照應して)下文の条々を合議決定す

The President of the United States of America and his Majesty the Tycoon of Japan, desiring to establish on firm and lasting foundations, the relations of peace and friendship now happily existing between the two countries, and to secure the best interest of their respective citizens and subjects, by encouraging, facilitating and regulating their industry and trade, have resolved to conclude a treaty of amity and commerce, for this purpose, and have therefore named as Their Plenipotentiaries, that is to say:

The President of the United States, His Excellency Townsend Harris, Consul-General of the United States of America for the Empire of Japan, and His Majesty the Tycoon of Japan, Their Excellencies Ino-oo-ye, Prince of Simano, and Iwaszy, Prince of Higo, who, after having communicated to each other, their respective full powers, and found them to be in good and due form, have agreed upon, and concluded the following articles.

第一条【平和友好の約束と外交官・領事官の任命】向後日本大君と米利加合衆国と世々親睦なるべし

日本政府は華盛頓(ワシントン)に居留する政事に預る役人を任し又合衆国の各港の内に居留する諸取締の役人及び貿易を処置する役人を任すべし其政事に預る役人及び獨立たる取締の役人は合衆国に到着の日より其國の部内を旅行すべし

合衆国の大統領は江戸に居留するチプロマチキ、アゲント外使使節を任し又此約書に載る米利加人民貿易の爲に開きたる日本の各港の内居留するコンネル領事又はアゲント、アゲント領事使節等を任すべし其日本に居留するチプロマチキ、アゲント並にコンネル、ゼネラルは職務を行ふ時より日本國の部内を旅行する免許を得べし

Art. 1 There shall henceforward be perpetual peace and friendship between the United States of America and his Majesty the Tycoon of Japan and his successors.

The President of the United States may appoint a diplomatic agent to reside at the city of Yedo, and consuls or consular agents to reside at any or all of the ports in Japan, which are opened for American commerce by this treaty. The diplomatic agent and consular general of the United States, shall have the right to travel freely in any part of the empire of Japan, from the time they enter on the discharge of their official duties.

The government of Japan may appoint a diplomatic agent to reside at Washington, and consuls or consular agents for any or all of the ports of the United States. The diplomatic agent and consular-general of Japan may travel freely in any part of the United States from the time they arrive in the country.

第二条【友好的關係の具体例】(略)

第三条【下田 箱館のほか四港を開港】下田箱館の港の外次にいふ所の場所を左の期限より開くべし

神奈川 年三月より凡十五箇月の後より

八百五十九年七月四日

長崎 年三月より凡十五箇月の後より

八百五十九年七月四日

西洋紀元千

新潟 年三月より凡二十箇月の後より

八百六十年一月一日

兵庫 年三月より凡十五箇月後より

八百六十二年一月一日

(以下略)

Art. 3 In addition to the ports of Simoda and Hakodate, the following ports and towns shall be opened on the dates respectively appended to them, that is to say:

Kanagawa, on the ... fourth day of July, one thousand eight hundred and fifty-nine.

Nagasaki, on the ... fourth day of July, one thousand eight hundred and fifty-nine.

Nee-e-gata, on the ... first day of January, one thousand eight hundred and sixty.

Hio-go, on the ... first day of January, one thousand eight hundred and sixty-three.

(以下略)

第四条【協定関税】総て國地に輸入輸出の品々別冊の通日本役所

運上を納むべし

日本の運上所に荷主申立の価を好ありと察する時は運上役より相當の価を付し其荷物を買入る事を談すべし荷主若し之を否む時は買入るより付たる価に従て運上を納むべし承允する時は其価は運上直に買入べし

合衆国海軍用意の品神奈川長崎箱館の内に陸揚し庫内に蔵めて米利加番人守護するものは運上の沙汰に及はず若し其品を売払ふ時は買入るより規定の運上を日本役所に納むべし

阿片の輸入嚴禁なり若し米利加商船三斤以上を持渡らば其過量の品は日本役人を取上べし

輸入の荷物定例の運上納済の上は日本人より國中に輸送すとも別に運上を取立る事なし米利加人輸入する荷物は此条約に定めたるより余分の運上を納る事なく又日本船及び他國の商船に於て外國より輸入せる同じ荷物の運上高と同様たるべし

Art. 4 Duties shall be paid to the government of Japan,

on all goods landed in the country, and on all articles of Japanese production, that are exported as cargo, ac-



according to the tariff hereunto appended.

If the Japanese custom-house officers are dissatisfied with the value placed on any goods by the owner, they may place a value thereon, and offer to take the goods at that valuation. If the owner refuses to accept the offer, he shall pay duty on such valuation. If the offer be accepted by the owner, the purchase money shall be paid to him without delay, and without any abatement or discount.

Supplies for the use of the United States navy may be landed at Kanagawa, Hakodate and Nagasaki, and stored in Warehouses, in the custody of an officer of the American government, without the payment of any duty. But if any such supplies are sold in Japan, the purchaser shall pay the proper duty to the Japanese authorities.

The importation of opium is prohibited, and any American vessel coming to Japan, for the purposes of trade, having more than (3) three caddies (four pounds avoirdupois) weight of opium on board, such surplus quantity shall be seized and destroyed by the Japanese authorities.

All goods imported into Japan, and which have paid the duty fixed by this treaty, may be transported by the Japanese, into any part of the empire, without the payment of any tax, excise or transit duty, whatever.

No higher duties shall be paid by Americans on goods imported into Japan, than are fixed by this treaty, nor shall any higher duties be paid by Americans, than are levied on the same description of goods, if imported in Japanese vessels, or the vessels of any other nation.

第五条【外国貨幣の使用】(略)

第六条【領事裁判】日本人に対し法を犯せる亜米利加人は亜米利加コンシユル裁判所領事裁判所にて吟味の上亜米利加の法度を以て罰すへし亜米利加人へ対し法を犯したる日本人は日本役人

礼の上日本の法度を以て罰すへし日本奉行所亜米利加コンシユル裁判所は双方商人通債等の事をめけに取扱ふへし都て条約中の規定並に別冊に記載する所の法則を犯すに於てはコンシユルへ申達し取上品並に違料を日本役人へ渡すへし兩國の役人は双方商民取引の事に付て争議す日本へ

Art. 6 Americans, committing offenses against Japanese, shall be tried in American Consular Courts, and when found guilty, shall be punished according to American law.

Japanese, committing offenses against Americans, shall be tried by the Japanese authorities, and punished according to Japanese law.

The Consular Courts shall be open to Japanese creditors, to enable them to recover their just claims against American citizens, and the Japanese Courts shall in like manner be open to American citizens, for the recovery of their just claims against Japanese.

All claims for forfeitures or penalties for violations of this treaty, or of the articles regulating trade, which are appended herunto, shall be sued for in the consular courts, and all recoveries shall be delivered to the Japanese authorities.

Neither the American or Japanese governments are to be held responsible for the payment of any debts, contracted by their respective citizens or subjects.

第七条【開港地における移動の自由】日本開港の場所に於て亜米利加人遊歩の規程左の如し

神奈川 六郷川筋を限ると其他は各方へ凡十里
箱館 各方へ凡十里
兵庫 京都を距る事十里の地へは亜米利加人立入るを許す其方角を除き各方へ十里以下

長崎(略)
新潟(以下略)

亜米利加人重立たる悪事ありて裁断を請又は不身持にて再び裁許に処せられし者は居留の場所より一里外に不可出者等は日

本奉行所より開地退去の儀を其地在留の亜米利加コンシユルに達すへし(以下略)

Art. 7 In the opened harbors of Japan, Americans shall be free to go where they please, within the following limits:

At Kanagawa, the river Lokuyo (which empties into the bay of Yedo, between Kawasaki and Sagawa) and (10) ten ri in any other direction.

At Hakodate, (10) ten ri in any direction.

At Hiogo, (10) ten ri in any directions, that of Kyoto excepted, which city shall not be approached nearer than (10) ten ri. (以下略)

At Nagasaki (略)
At Nagasaki (略)

The boundaries of Neegata (以下略)
Americans who may have been convicted of felony, or twice convicted of misdemeanors, shall not go more than (1) one Japanese ri in land, from the places of their respective residences, and all persons so convicted, shall lose their right of permanent residence in Japan, and the Japanese authorities may require them to leave the country. (以下略)

第八条【信教の自由】日本に在る亜米利加人自ら其國の宗法を念し礼拝堂を居留場内に置も障りなし並に其建物を破壊し亜米利加人宗法を自ら念するを妨る事なし亜米利加人日本人の堂宮を毀傷する事なく決して日本神仏の礼拝を妨げ神体仏像を毀る事あるべからず(以下略)

Art. 8 Americans in Japan shall be allowed the free exercise of their religion, and for this purpose shall have the right to erect suitable places of worship. No injury shall be done to such buildings, nor any insult be offered to the religions worship of the Americans.

American citizens shall not injure any Japanese temple or ma, or offer any insult or injury to Japanese religious ceremonies, or to the objects of their worship. (以下略)



第九条「逃亡犯罪人逮捕への協力」 亞米利加コンシユルの願に依て都て出奔人並に裁許の場より逃去し者を召捕又はコンシユル捕へ置たる罪人を獄に繋ぐ事協ふへし且陸地並に船中に在る亞米利加人に不法を成め規則を遵守せしむるか為にコンシユル申立次第助力すへし右等の諸入費並に願に依て日本の獄に繋きたる者の雑費は都て亞米利加コンシユルより償ふへし

Art. 9 When requested by the American consul, the Japanese authorities will cause the arrest of all deserters and fugitives from justice, receive in jail all persons, held as prisoners, by the consul, and give to the consul such assistance, as may be required to enable him to enforce the observance of the laws, by the Americans, who are on hand, and to maintain order among the shipping. For all such services, and for the support of prisoners kept in confinement, the consul shall in all cases pay a just compensation.

第二〇条【日本の対米通商】(略)

第二一条【附屬通商規則】(略)

第二二条【日米和親条約等の効力】 安政元年寅三月三日(即千八百五十四年三月三十一日)神奈川に於て取替したる条約の中此条々に齟齬する廉は取用ひず(以下略)

Art. 12 Such of the provisions of the treaty made by Commodore Perry, and signed at Kanagawa, on the 31st of March, 1854, as conflict with the provisions of this treaty, are hereby revoked (以下略)

第二三条【改正】(略)

第二四条【批准と効力発生】(略)

(署名略)

