KOREA.

AMENDMENT TO LAND REGULATIONS OF FOREIGN SETTLEMENT AT CHEMULPO.

Mr. Paddock to Mr. Hay.

No. 445.]

LEGATION OF THE UNITED STATES,

Seoul, March 15, 1902.

Sir: I have the honor to inform you that at a meeting of the foreign representatives held on October 29 last, an application submitted by Mr. Pavlow, then Russian chargé d'affaires, for the acquisition by his Government of a consular site in the general foreign settlement of Chemulpo, under the same conditions as those under which other governments had acquired such sites, was considered, and it was unanimously decided that there could be no objection to the same.

At a subsequent meeting Mr. Pavlow raised a question as to the anomaly which would exist in the case of governments and their consuls at Chemulpo, whose nationals did not hold land within the settlement, since under Article VI of the present regulations of the general foreign settlement of Chemulpo, such governments and their consuls, although owners of land, would not be entitled to representation on the municipal council and would therefore be less favored than private lot owners.

He pointed out that in 1897, owing to a number of similar faults discovered in the regulations of the Chemulpo settlement, on the occasion of the signature of the regulations of the new foreign settlements at Chemulpo and Mokpo, the foreign representatives decided to submit to the approval of their respective governments a proposal to substitute the new regulations for those of the Chemulpo settlement. This proposal was submitted to the Department of State by minister Allen in a dispatch (No. 38, diplomatic) of November 27, 1897, and was approved by the Department in a dispatch (No. 36) dated December 31, 1897. Such complete substitution of the new regulations for those of the Chemulpo settlement, however, has never been effected.

Mr. Pavlow then suggested, as the application to Chemulpo of the whole of the regulations for the new settlements mentioned would appear to be a complicated matter and require much time to arrange, that Article VI alone of the Chemulpo regulations be at once amended by the substitution for it of Article XIV of the regulations of the new settlements mentioned, viz, the municipal council to consist of:

1. The Kamni or a Korean local official of suitable rank;
2. The local consuls;
3. Not more than three members elected by the registered lot holders.

Article VI of the present Chemulpo regulations reads as follows:

The municipal council shall consist of a Korean local official of suitable rank; the consuls of the treaty powers whose subjects or citizens hold land in the settlement; and of three registered landholders, who shall be elected, etc.
At a meeting of the representatives held February 22 and at a later meeting the matter was discussed and the question was raised as to whether the term "local consuls" might not be liable to misconstruction, since the present Chemulpo council has in its membership several consuls whose consulates are in Seoul, as in the case of myself. I suggested that the reading "local consuls" be made more explicit by adding that the term "local consuls" shall be understood to include "those consuls whose consulates, located in the city of Seoul, are at present represented in the municipal council of Chemulpo." My idea being that, while this would rectify the fault complained of by Mr. Pavlow, it would not increase the membership of the council by admitting thereto consuls whose consulates are at Seoul and who have no nationals holding land within the settlement, as is the case with the French and Belgian consuls. After some discussion, however, it was decided that Article VI of the existing Chemulpo regulations could be better amended by striking out the words "whose subjects or citizens hold land in the settlement," so as to make the article read:

The municipal council shall consist of a Korean official of suitable rank; the consuls of the treaty powers; and three registered landholders, etc.

I approved of this change, but stated that I could not officially consent to it without submitting it to my Government, as it was not such a substitution of the new regulations as the representative of my Government had been authorized to make, as before mentioned.

The proposition was unanimously adopted by all the representatives who agreed provisionally to authorize the change in Article VI, pending sanction to be applied for from their respective governments. In the meantime a joint note, a copy of which is inclosed, was drafted, and sent on March 7 to the minister for foreign affairs of the Korean Government by Mr. Hayashi, doyen of the diplomatic corps.

The matter seems not so much one of importance as of convenience, for it is evident that any of the treaty powers having consulates at Seoul could at any time obtain membership in the Chemulpo council by having one of its nationals purchase a lot in the settlement. I therefore submit the proposed change in Article VI of the regulations of the general foreign settlement of Chemulpo for approval in accordance with action of the other representatives.

I have, etc.,

GORDON PADDOCK.

[Inclosure.]

Joint note to the Korean minister for foreign affairs.

SEOUL, March 7, 1902.

Monsieur le Ministre: Considerable inconvenience has been experienced in the working of the sixth article of the Chemulpo land regulations owing to the provision which it contains excluding from the municipal council those consuls of the treaty powers whose subjects or citizens do not hold land in the settlement.

As ports which were more recently opened to trade this defect has been remedied by the insertion of a stipulation in the regulations under which the right of membership to the municipal council is unconditionally vested in the local consuls.

As a recent meeting of the foreign representatives it was considered advisable to modify the above article of the Chemulpo regulations, so as to bring it more into conformity with the fourteenth article of the regulations of the foreign settlements at the new ports, and it was therefore decided to eliminate the words "whose subjects or citizens hold land in the settlement" from the article in question.
Instead, however, of adopting the wording of the later regulations—"local consuls"—the foreign representatives preferred to retain the expression "consuls of the treaty powers," in order to include those consuls who, though they reside in Seoul, exercise jurisdiction over Chemulpo.

This modification has been adopted by the foreign representatives subject to the approval of their respective governments, and in notifying it to your excellency, I have the honor to request that you will be pleased to signify your assent thereto, as required by the ninth article of the Chemulpo regulations.

I avail, etc.,

G. Hayashi,
Doyen of the Diplomatic Corps.

Mr. Allen to Mr. Hay.

No. 456.]

LEGATION OF THE UNITED STATES,
Seoul, May 7, 1902.

SIR: On March 15, Mr. Paddock, in his dispatch No. 445, informed you of a proposed change in the land regulations for the general foreign settlement of Chemulpo. It was proposed that Article VI, which is as follows:

The municipal council shall consist of a Korean local official of suitable rank; the consuls of the treaty powers whose subjects or citizens hold land in the settlement, and of registered landholders who shall be elected, etc.

should be so changed as to read:

The municipal council shall consist of a Korean official of suitable rank, the consuls of the treaty powers and three registered landholders, etc.

At a meeting of the foreign representatives held on yesterday to discuss this matter further, Mr. Hayashi, the Japanese minister, stated that his Government objected to the form of this amendment and proposed that the following be substituted for it:

The municipal council shall consist of a Korean local official of suitable rank, the consuls of the treaty powers whose Governments or whose subjects or citizens hold land in the settlement, etc.

As this suggestion on the part of the Japanese Government covers the ground better than the one already sent you, and as it prevents the filling up of the council with consuls whose Governments or people do not hold land in the settlement, and as the Korean Government have not yet replied to the request of the foreign representatives to have the former amendment accepted, it was unanimously agreed that we each ask our respective Governments to accept this proposed amendment suggested by the Government of Japan, instead of the one already sent forward.

I have the honor to request, therefore, that I be instructed to accept this last proposed amendment.

I have, etc.,

Horace N. Allen.

Mr. Hay to Mr. Allen.

No. 196.]

DEPARTMENT OF STATE,
Washington, June 12, 1902.

SIR: I have to acknowledge the receipt of your dispatch No. 456, of the 7th ultimo, requesting that you be instructed to accept a substi-
tute amendment proposed by the Japanese Government, of Article VI of the land regulations for the general foreign settlement of Chemulpo, and to inform you in reply that you may agree to the amendment proposed by Japan.

I am, etc.,

JOHN HAY.

PROTECTION OF CUBAN INTERESTS BY UNITED STATES CONSULAR OFFICIALS.

Mr. Allen to Mr. Hay.

No. 472.]

Legation of the United States,
Seoul, June 3, 1902.

Sir: I have the honor to acknowledge the receipt on the 25th ultimo of your cablegram \(^2\) in regard to the matter of obtaining permission for the consuls of the United States to attend to the interests of Cuba and its citizens pending the establishment of Cuban consulates.

I at once addressed acting foreign minister as per inclosed copy of my letter.

After much delay I received a reply merely acknowledging the receipt of my letter.

This dispatch I returned with the explanation that as I had asked for permission for United States consular officers to act, I must have a definite statement as to whether such permission is granted. This brought a satisfactory reply, a copy of which I inclose, in which permission is granted.

I have, etc.,

HORACE N. ALLEN.

[Inclosure 1.]

Mr. Allen to the acting minister for foreign affairs.

Legation of the United States,
Seoul, May 28, 1902.

YOUR EXCELLENCY: I am informed by telegraph by my Government that the President of Cuba asks the Government of Korea to permit the United States consular officers within its jurisdiction to use their good offices in representation of the interests of Cuba and of its citizens until Cuban consuls shall have been appointed, and I am instructed to ask that this permission be granted.

You will remember that Cuba revolted against the dominion of Spain and the United States went to war with the latter country in order to end the revolution and free Cuba. After the close of the war the United States assisted Cuba in preparing for the establishment of a free and independent government. This has now been accomplished, and the first President, Estrada Palma, having been duly elected, was inaugurated on the 20th instant, at which time the troops and officials of the United States were withdrawn from the Island Republic.

Pending the conclusion of foreign treaties, it is evidently the wish of the Cuban Government that the United States consular officials should attend to Cuban interests abroad.

I take this opportunity, etc.,

HORACE N. ALLEN.

\(^2\) Printed, page 6.
KOREA.

[Inclosure 2.]

The acting minister for foreign affairs to Mr. Allen.

Foreign Office, May 29, 1902.

Your Excellency: I have the honor to acknowledge the receipt of your letter in which you inform me that the Cuban Government asked the United States Government to have the American consuls under its jurisdiction protect the rights of Cuban citizens; that you have been instructed by your Government to ask permission from the Korean Government for the exercise of these functions by the United States consuls in Korea, and you relate the history of the establishment of the Cuban Government as a republic, by the assistance of the United States.

I beg to inform you that Cuba shall have equal treatment with other nations as she now has the right of independence. However, no treaty between Cuba and Korea has been made. Therefore, consular officers can not be established at present. But the American consular officers are empowered to protect the rights of Cuban citizens, under their jurisdiction, and the Korean Government grants the same right according to custom.

I have, etc.,

Ch'ye Yung Ha.

Accident to President Roosevelt.

The Emperor of Korea to President Roosevelt.

[Telegram.]

Seoul, September 16, 1902.

I regret exceedingly your excellency’s recent carriage accident, and heartily congratulate you on your happy escape. I trust you will speedily recover from the effects of the collision.

Hiung, Emperor Daicher of Daihan.

President Roosevelt to the Emperor of Korea.

[Telegram.]

White House,
Washington, September 16, 1902.

I esteem Your Majesty’s sympathetic message.

Theodore Roosevelt.

FR 1902, PT 1—47