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Boundary-Marks	Existing or Disappeared	Location
No. 22	Unknown	At the source of the Hsiasiyang River
No. 23	Unknown	At the source of the Amenoishka River
M (also M in English)	Disappeared	At Laohushanpingkang, a ridge on the frontier
No. 24	Disappeared	In the northeast of frontier-mark M
No. 25	Disappeared	At the source of the Tula River
J (L in English)	Existing	On the summit of a mountain at the source of the Paileng River
No. 26	Disappeared	On the bank of the Paileng River
K (also K in English)	Existing	At the mouth of the Paileng River on the northern bank

Fifteen frontier-marks were discovered at the time of the above survey, which was made 23 years ago, but since then some of them are believed to have been lost.⁶

With the exception of two places, the frontier running north from Lake Khanka is clear in that it follows the Sungacha and Ussuri Rivers. Boundary-mark II (I in English) was at first erected in the vicinity of Hsiao-lungwang-miao, on the northern bank of the Sungacha River near its mouth, but was later carried away by a flood together with the temple, and at present it stands at a point 200 paces up the river from its mouth. Frontier-mark E (also E in English) was at first erected at the mouth of the Ussuri River on the eastern bank, but it was later removed to the Khabarovsk Delta, the ownership of which is today the subject of controversy between Manchoukuo and Soviet Russia. This question will be treated in the following paragraphs.

2. The Northern Frontier.

By the "northern frontier" here is meant the boundary-line stipulated in the Aihun Treaty, namely, the boundary following the course of the Amur River from the confluence of the Argun and Shilka Rivers to the

⁶ The location of No. 4 frontier-mark is unknown.

junction of the Amur and Ussuri Rivers. Although the northern frontier, being a natural boundary, is comparatively clear, there are several hundred islands dotting the Amur (including nine large ones, the length of each of which is more than ten kilometres), the ownership of which has not yet been settled. There has been much controversy especially as to the ownership of the large triangular delta at the confluence of the Amur and Ussuri Rivers, known as the Khabarovsk Delta, or Heihsiatzu Island in Chinese. This island is about forty kilometres long and five kilometres broad. Though occupied by the Soviets, the delta, in the light of the Aihun and Peking Treaties which stipulate the main streams of the Amur and Ussuri as forming the boundary, rightfully belongs to Manchoukuo. In view of its strategic importance to the Khabarovsk Fortified Zone, Soviet Russia, however, contends that the Kazakevitch Channel, which separates the island from the mainland, is the main stream of the Amur. But on the other hand, Manchoukuo, basing her arguments on the above treaties, filed on November 12, 1934, a strong protest with the Soviet Union against its unlawful occupation of the delta. Consequently so long as no satisfactory settlement is reached concerning the ownership of the island, it is not difficult to imagine that the delta will continue to form the seed of dispute between the two countries.

3. The Western Frontier.

The Pula Treaty by which the frontier to the west of the confluence of the Amur and Argun Rivers was demarcated, was concluded on August 20, 1727, and two supplementary protocols attached to it were signed at Abakaitu on October 12 of the same year. The latter in turn were supplemented by the Tsitsihar Treaty con-

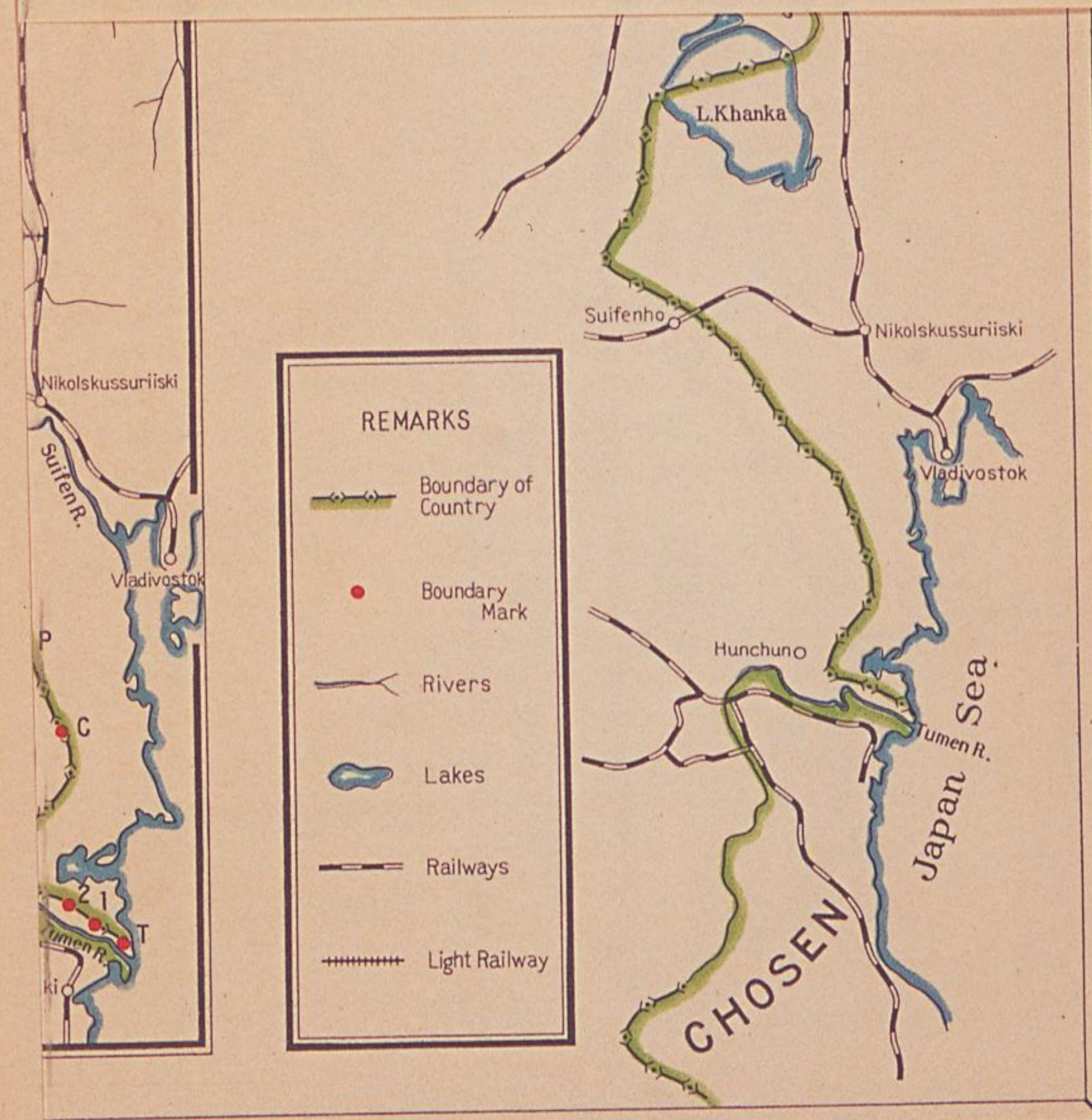
The open letter sent to the Soviet Dictator, Joseph Stalin, by the Special Soviet Congress of the Far Eastern Region, which was printed in the Nov. 14, 1936 edition of the *Izvestia*, an official organ of the Soviet Government, contains the following challenging words and tells the whole story of the Soviet frontier policy:

.... the Far Eastern Region has now become the outpost of Communism in the Orient. We cannot yield even an inch of this territory to any hostile power. Soviet Russia's frontiers have been strengthened with steel and concrete and, with vigilant eyes, the officers and men of the Far Eastern Special Red Army and the Pacific Fleet are ever guarding the frontier. The manoeuvres held by the Far Eastern Army and the Pacific Fleet this autumn have fully displayed the efficiency of the new defensive tactics and of the well-trained officers and men. If a war should break out in the Far East and our frontier be violated by enemy troops, we will annihilate them within their own territory

An idea of the formidable Soviet military strength behind the frontier may be gained from the foregoing paragraphs. An outline will next be made of the Frontier Defence Law proclaimed by the Central Executive Committee on September 7, 1923, for the specific purpose of guarding the far-stretched frontiers of the Soviet Union. The characteristic of this law is that without any agreement whatever between Russia and her neighbours, it defines the most positive and safest means of safeguarding the frontier. That is to say, it totally disregards the accepted conceptions of international law. The articles in the first chapter of this law give a general outline of the frontier, with the opening article stating as follows:

The frontier is indicated by special boundary-marks or natural boundaries and shall not be changed without the resolutions of the Central Executive Committee of the U. S. S. R.

Article 2 states:



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Article 2 states:

Boundary lines fixed by the courses of rivers or the shores of lakes will not be affected by any natural changes in the flow of rivers or in the water-level of lakes and will therefore remain permanent.

Article 4 stipulates that "the patrol, except that of pure military nature, of the land and sea frontiers shall be entrusted to the police." Their duties are prescribed in Article 5 as follows:

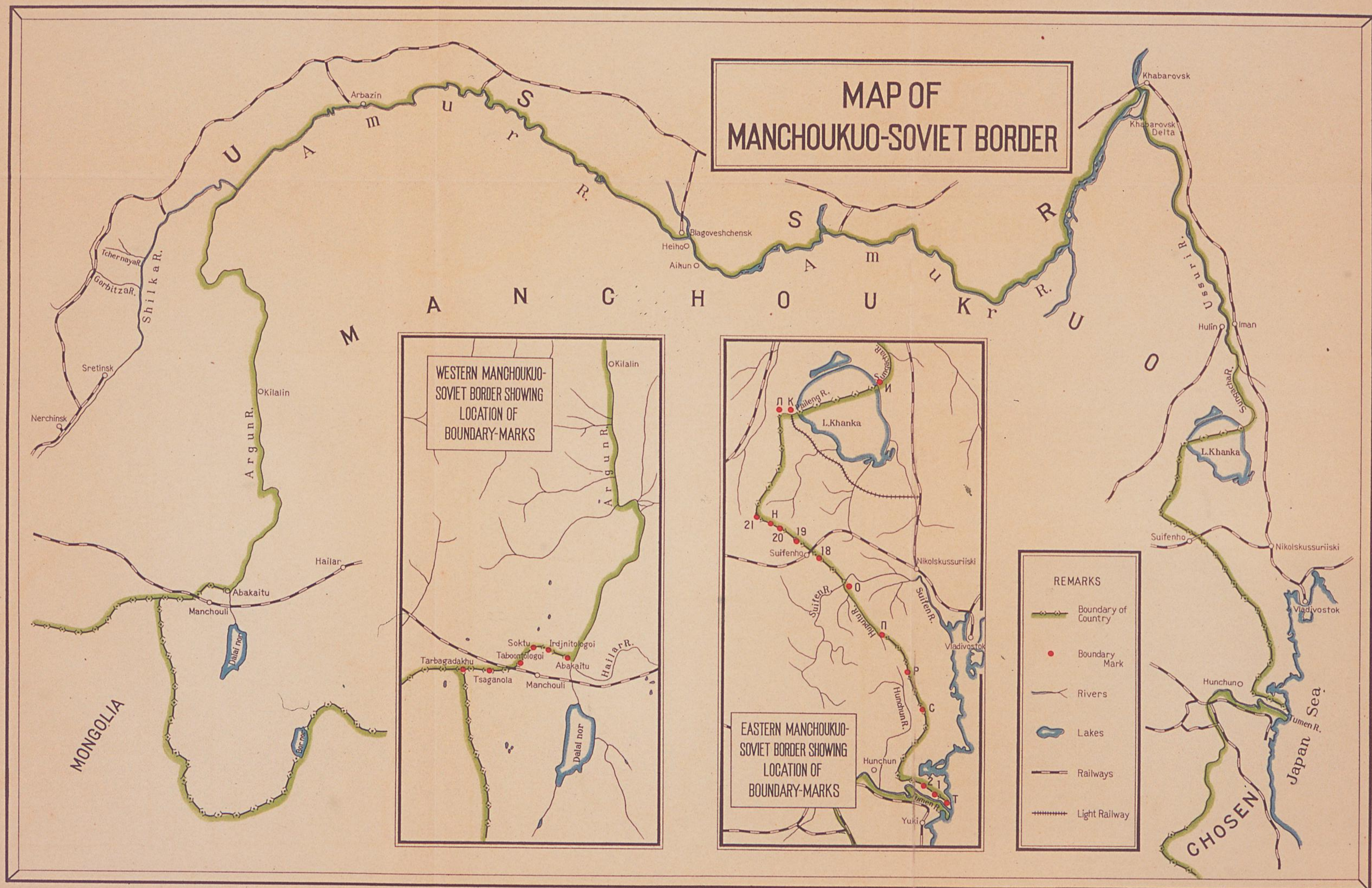
1. Prevention of political smuggling.
2. Prevention of economic smuggling.
3. Prevention of encroachment and aggression and the suppression of frontier trespassers.
4. Protection of frontier inhabitants from attacks by armed lawless elements when it is deemed necessary.
5. Prevention of illegal fishing within the 12-mile limit.
6. Proper watch over the legal use of territorial waters.
7. In special cases, enforcement of a quarantine at the border with the consent of the People's Commissariat for Health.

Next, concerning the zones in the frontier regions, Article 8 states:

In order to prevent easy smuggling and illegal entry, special border zones based on boundary lines shall be established; those on land shall have varying breadths—4 metres, 500 metres, 7.5 kilometres, 16 kilometres and 22 kilometres—and those on water shall be 12 nautical miles broad. The Frontier Preservation Department shall be vested with special authority within these zones and the frontier inhabitants and those engaged in navigation and shipping shall be subject to certain restrictions as stipulated in this law. The survey of frontier areas, wherein observation posts are not located on boundary lines, shall be made not on the basis of boundary lines but on the basis of the line of observation posts.

For the safeguarding of the frontier, Article 42 says:

In the execution of their duties in the guarding of the frontier, the officials of the Frontier Preservation Department shall correspond to sentinels.



According to Article 43, they may resort to arms in any of the following cases:

1. For the purpose of repulsing armed attacks or armed resistance.
2. When unarmed attacks or resistance has placed them in danger.
3. For the purpose of recapturing fugitive prisoners.
4. When persons carrying merchandise or other goods within the 7.5-kilometre zone, or crossing frontier lakes and rivers by cargo ships, or attempting to cross the frontier by illegal means do not halt when the command "stop" is shouted twice followed by a warning shot.

Finally, Article 44 decrees:

Aircraft which fly over places other than those specified or which fly across the frontier in violation of prescribed regulations, shall be ordered to be shot down. Those landing in Soviet territory shall be detained.

The defence of the frontiers of Manchoukuo has been somewhat neglected when compared with the active manner in which the Soviet Union is guarding its borders. This fact is due chiefly to the extremely backward economic development of the border districts in Manchoukuo and to the paucity of inhabitants in those districts owing to the lack of communication facilities. However, in view of the seriousness of the frequent occurrences of border incidents recently, the Manchoukuo authorities, from the standpoint of national defence and public peace maintenance, have decided to enforce a kind of a passport system applicable to the inhabitants of the frontier districts as well as to those travelling in those regions for the purpose of preventing the entry of lawless elements and of protecting the frontier inhabitants. For this purpose, the Border Zone Law was promulgated

on December 24, 1936, and enforced from February 1, 1937. Its chief articles are:

The Border Zone as referred to in the present Law shall comprise the following districts, which, from the viewpoint of national defence and the maintenance of public order, require special control:

Chientao Province:	Hunchun-hsien;
Pinkiang Province:	Hulin-hsien, Mishan-hsien, Tungning-hsien, Muling-hsien;
Sankiang Province:	Lopei-hsien, Suipin-hsien, Tungkiang-hsien, Fuyuan-hsien, Jaoho-hsien;
Heiho Province:	Entire province;
North Hsingan Province:	Entire province. (Article 1)

A person over the age of fourteen years residing within the Border Zone shall duly notify the police authorities concerned of his residence and obtain a residence certificate issued by the said authorities. (Article 2)

A person residing within the Border Zone shall carry with him his residence certificate when travelling or moving to another locality. (Article 3)

In case a person residing outside of the Border Zone desires to travel in the said Zone, he shall apply to the police authorities concerned and obtain a travel permit issued by the said authorities.

A person who passes through the Border Zone by train or aircraft in regular operation shall not be required to have the permit mentioned in the preceding paragraph. A person without the said permit, however, shall not go outside of railway stations or aerodromes without the permission of the police authorities at the places concerned. (Article 4).

It is reported that a law similar to the above-mentioned Border Zone Law has already been enforced by Soviet Russia. The precautions taken by the Soviet Union against unlawful entry into its land are, however, far greater than those taken by Manchoukuo.

IV. CONDITIONS FOR THE SETTLEMENT OF THE BORDER PROBLEM

The creation of a new situation resulting from the birth of Manchoukuo and the subsequent gradual strengthening of the New State's frontier defences along with its administrative readjustment gave Soviet Russia, which had hitherto virtually controlled the Manchoukuo-Soviet border regions with her military power, a pretext to concentrate a huge army in the Far East allegedly for the purpose of eradicating the so-called new menace in the Far East. The real purpose of the Soviet military concentration soon became apparent as Soviet troops began to bring pressure to bear upon Manchoukuo while committing one border violation after another. Statistics show that no less than three hundred frontier incidents have occurred since the foundation of Manchoukuo.

The press of both countries has widely reported these border incidents, but invariably with utterly conflicting versions, each side blaming the other for the occurrence of the incidents. Without going into the immediate cause of each incident, any disinterested third party should readily be able to realize that the root of the border disputes lies in the lack of equilibrium between the Soviet and Manchoukuo military strengths in the frontier regions. The atmosphere created by the frontier disputes seems so menacing as to subvert normal international relations from their very foundation. Among the incidents still fresh in the writer's memory are the Chinchangkou and Changlingtzu incidents.⁷

⁷ Chinchangkou Incident: On January 29, 1936, 108 soldiers belonging to the Manchoukuo garrison stationed at Chinchangkou, west of No. 22 boundary-mark on the eastern Manchoukuo-Soviet border, rose in mutiny, and, after slaying three officers, looting Government property, and setting fire to the

The lack of a clearly demarcated boundary line between the two countries has been the direct cause of many border incidents. This may be proved by the fact that there are only about 10 boundary-marks along the eastern frontier between the Tumen River and Lake Khanka, a distance of 632 kilometres through dense forests and mountainous districts. Save for the ten frontier-marks which stand apart at an average distance of 63.2 kilometres, there is no landmark whatever to show the location of the boundary.

Motivated by a desire to put an end to these border incidents, which formed the chief obstacle to the establishment of friendly relations with Soviet Russia, the Manchoukuo Government last year proposed to Moscow the establishment of a joint Manchoukuo-Soviet border demarcation commission and another joint commission for the settlement of frontier disputes. Though once accepting Manchoukuo's proposal in principle, the U. S. S. R. virtually abandoned the negotiations thereon, avowedly because of the conclusion of the Japan-German Anti-Comintern Agreement. Such an attitude on the

barracks, fled into Soviet territory. Receiving a report of the mutiny the following day, a Manchoukuo-Japanese detachment stationed in the neighborhood, traced the path of the fleeing soldiers, to investigate the affair, and upon reaching a spot near the boundary line, 8 kilometres southwest of No. 22 boundary-mark, it was suddenly fired upon by deserters and Soviet soldiers numbering about 100 or more, who had made an illegal entry into Manchoukuo territory. In self-defence, the Japanese-Manchoukuo troops retaliated, and the fighting resulted in 12 deaths and 12 wounded on the Japanese-Manchoukuo side, and one death on the Soviet side.

Changlingtzu Incident: This incident was caused by the lawless firing upon a Japanese army surveying party by Soviet frontier guards on March 25, 1936, in the vicinity of Changlingtzu, Hunchun-hsien. The Japanese were subsequently reinforced by 90 Manchoukuo soldiers and the Soviets by 400 soldiers, and in the hectic fighting which ensued, 4 Manchoukuo soldiers were wounded and 20 Soviet soldiers were killed or wounded.

part of the Soviet Union obviously does not benefit either party; on the contrary it only tends to retard the restoration of peaceful conditions along the frontiers, upon which the future stability of the Far East largely depends.

In concluding this article, the writer wishes to enumerate, for the purpose of reference, the following conditions which he believes are necessary for an amicable settlement of the Manchoukuo-Soviet border issue:

1. Both countries must avoid resorting to force in an attempt to bring about a settlement of any disputes and should strive to readjust their relations through political negotiations, thereby paving the way for a solution of the vexatious border question.
 2. Each country should refrain from adopting policies aimed at the attainment of its selfish ends and also measures which might serve to divert the attention of the other to its own advantage.
 3. Through negotiations, any portions of the boundary which are not clearly defined should be immediately surveyed in order to determine the ownership of lands, rivers and islands along such sections of the boundary.
 4. When former treaties and other data are used in frontier demarcation, both countries should look at matters from a broad standpoint and pass fair and appropriate judgment upon any controversial points instead of disputing about insignificant clauses and interests which have only a partial bearing upon the question as a whole.
- Finally, Russia must realize the dangerous game she is playing by continuing her highhanded military measures along the frontier, which have a marked resemblance of her actions at the time of the conclusion of

the Aihun Treaty and which, unless abandoned, may eventually force Japan and Manchoukuo to adopt a firmer policy toward the U. S. S. R.



A CHRONOLOGY OF THE NORTH MAN- CHURIA RAILWAY TRANSFER NEGOTIATIONS

The Soviet-Manchoukuo negotiations for the transfer of the ownership of the North Manchuria Railway, formerly the Chinese Eastern Railway, reached a happy conclusion on March 23, 1935. The passing from the Russian hands of the North Manchuria Railway, erstwhile the backbone of Czarist Russia's traditional policy of Far Eastern penetration and recently the chief medium of Red propaganda in Manchuria, clearly marks the end of an epoch during which the Western Imperialism, either openly or covert, had made an easy prey of the Far East, especially China. The event is necessarily epochal and bears a tremendous international significance.

I

The proposal for the sale of the North Manchuria Railway was first officially made by M. Maxim Litvinov, Soviet Commissar of Foreign Affairs, to the Japanese Government through Ambassador Tamekichi Ota on May 2, 1933. In the course of that historic interview, M. Litvinov proposed (1) that the best way to avoid all future difficulties concerning the North Manchuria Railway would be either for Japan or Manchoukuo to buy the said line, (2) that the Soviet Union is ready to recognize Manchoukuo should either Japan or Manchoukuo decide to buy the same, and (3) that the Soviet Union is willing to consider in principle the deferred payment for the payment of the agreed sale price. Count Yasuya Uchida, then Tokyo's Foreign Minister, believed that Manchoukuo within whose territory the railway

runs is better qualified to buy the said railway and immediately referred the Soviet offer to the Hsinking Government. Hsinking was quite willing to consider it. Consequently, the Tokyo Foreign Office replied to the Soviet Government on May 29: (1) that it would be better for Manchoukuo to buy the line on the basis of the Soviet-Mukden Agreement of 1924 and that Japan is prepared to offer her good offices to materialize such negotiations, (2) that the current value of the North Manchuria Railway should be first calculated and the method of compensation should be taken up in the negotiations thereafter, and (3) that Tokyo would be the most suitable seat for such negotiations. On June 3, M. G. J. Sokolnikov, then Moscow's Vice-Commissar of Foreign Affairs, assented to the offer in the name of the Soviet Union and suggested to begin actual negotiations at Tokyo on June 25.

For the purpose of the proposed historic negotiations, the Manchoukuo Government named as its representative Lieutenant-General Tinge Shih-yuan, Manchoukuo Minister to Japan, assisted by Mr. Chuichi Ohashi, Vice-Minister for Foreign Affairs at Hsinking. The Soviet Union appointed as its chief delegate M. Constantine Yurenev, Soviet Ambassador to Tokyo, and as his assistants M. Vladimir Kozlovsky, Chief of the Far Eastern Division of the Commissariat of Foreign Affairs, and M. S. M. Kuznetsov, Vice-Director of the North Manchuria Railway. Count Yasuya Uchida, Foreign Minister, and Mr. Mamoru Shigemitsu, Vice-Minister for Foreign Affairs, were named to represent the Tokyo Government.

Previous to this, on May 9, just one week after Litvinov's proposal, the Nanking Government presented

its protest to Moscow against such a transfer of a Soviet-China joint property and announced that it can not be disposed of unilaterally under treaties without the concurrence of the Chinese Nationalist Government. Two days later, on May 11, M. Litvinov announced through the Tass agency that the Peking and Mukden Agreements of 1924 do not prevent the Soviet Government from selling the North Manchuria Railway to the *de facto* government in Manchuria which is actually exercising the rights according to those Agreements. Moreover, he insisted that the Nanking Government has completely neglected its responsibility as a joint manager of the line and forfeited the power to use that right by suspending the partnership for 18 months. By these events, he concluded, the Nanking Government had legally and morally nullified its treaty rights over the North Manchuria Railway.

Another interlude occurred on June 13 when Ambassador Yurenev suddenly called upon Mr. Shigemitsu at the Foreign Office and proposed that Manchoukuo, as a preliminary for the negotiations, should restore the through freight traffic on the eastern division of the North Manchuria Railway. Mr. Shigemitsu answered that the question would be solved automatically with the settlement of the alleged Soviet transfer of rolling stock and locomotives of the line beyond the Manchoukuo border and that Manchoukuo desires to settle this pending matter separately from the question of the sale of the North Manchuria Railway.

The last interlude which also had a direct bearing upon the historic negotiations about to begin occurred on June 26, the day when the negotiations were actually launched, when the French Ambassador called attention

of the Japanese Government to the French capital involved in the construction of the then Chinese Eastern Railway and reserved the right to use French shareholders' rights and privileges. Mr. Shigemitsu replied that the Japanese Government is not directly concerned with the question of the North Manchuria Railway deal and that it assumes no responsibility with regard to the execution of such matters.

With these preliminaries smoothly disposed of, the way was now clear for the epochal Soviet-Manchoukuo negotiations for the ultimate transfer of the North Manchuria Railway through the good offices of the Japanese Government.

II

The first session of the official negotiations between Manchoukuo and the Soviet Union for the proposed transfer of the North Manchuria Railway was held on June 26, 1933, at the official residence of Japanese Vice-Minister for Foreign Affairs in Tokyo. There were present, in addition to the respective representatives already named, Mr. Haruhiko Nishi of the European and Asiatic Bureau of the Foreign Office and Colonel Sadaichi Suzuki of the Army Department, as observers. Count Uchida welcomed the representatives, expressed the hope for the successful conclusion of the negotiations, and affirmed the continued offer of the good offices of the Japanese Government. Lieutenant-General Tinge stated, among other things, that the North Manchuria Railway is the vestige of Czarist Russia's Far Eastern policy and is an unnatural existence to-day, that its continuation under the present status would merely supply the cause of future difficulties, and that Manchoukuo is willing to

consider any reasonable offer although the economic value of the line has become practically nil, and hoped for the successful conclusion of the deal for the peace of the Far East and in acknowledgment of Japan's good offices. Ambassador Yurenev in a lengthy statement assured the friendly relations, affirmed that the solution of the North Manchuria Railway question would have a tremendous significance upon the future development of Manchoukuo, recalled the Manchoukuo note of March 12, 1932, which assumed responsibilities appertaining to the Peking and Mukden Agreements of 1924 with regard to the North Manchuria Railway, and joined the others in wishing for the successful conclusion of the negotiations through Manchoukuo's sincerity and Japan's positive and friendly cooperation.

The second session was held on June 28, but it went no further than the organization of the conference and the discussion of the matters relating to procedure. It was agreed to begin the actual business of the proposed negotiations on July 3.

As the third session opened on July 3, the cards were laid on the table by the representatives of the Manchoukuo and Soviet Governments. The principal points of the Soviet proposals may be summarized as follows: (1) that the price of the transfer of the North Manchuria Railway, the property of which was carefully described, shall be 250,000,000 gold roubles; (2) that one-half of the said price may be paid in the form of goods which shall be delivered within two years and one-fourth of the remainder in cash and the balance in Manchoukuo securities, guaranteed by the Japanese Government, bearing 4 per cent interest and redeemable in three years; (3) that the freedom of transit shall be

guaranteed for the freight and passengers of the Soviet railways over the North Manchuria Railway free of customs duties and all other official fees, and that a definite amount of freight of the North Manchuria Railway shall be preserved for the Ussuri Railway; and (4) that the persons and properties of the Soviet employees of the North Manchuria Railway, including retirement allowances and dismissal at least after two years, shall be guaranteed by a separate agreement. Against these offers and proposals, the Manchoukuo spokesman proposed: (1) that Manchoukuo is willing to pay 50,000,000 yen for the line in question and all of its appurtenances, the method of the payment of which price shall be dealt with later; (2) that, upon conclusion of the transfer agreement, a Soviet-Manchoukuo Committee shall be named to effect the transfer within one month and the transfer shall be completed within three months; (3) that the Soviet Union shall assume all responsibilities concerning the liabilities of the North Manchuria Railway, including the demand of any third party concerning the transfer, both before and after 1917 up to the date of the transfer; and (4) that the Soviet Union shall surrender all papers relating to the North Manchuria Railway and its affiliated undertakings, including the share certificates, debentures, and claims certificates of the old Chinese Eastern Railway.

The Soviet contention was somewhat as follows: that the total investments in the railway up to 1932, including the construction expenses, exclusive of a sum totaling 178,570,000 gold roubles which were expended by the Czarist Government during the early years of the line for maintenance and operation and also for making

good the financial deficit, amount to 411,691,976 gold roubles; that the sale price of 210,000,000 gold roubles is proposed in due consideration of the depreciation of equipments and the decrease in the line's economic importance on account of the construction of various new lines; that the estimated value of the extensive railway and forest areas amounts to 40,000,000 gold roubles, making the total transfer value 250,000,000 gold roubles; and that the Soviet Union would transfer all assets and liabilities of the line to Manchoukuo under the proposed price.

Opposed to these views, Manchoukuo maintained: that the current economic value of the North Manchuria Railway is very small and is becoming smaller with the development of the Manchoukuo railway program; that the value of the railway property, largely consisting of deteriorated rails with rotting sleepers, the gauge of which must be completely renovated at a considerable expenditure, old and neglected rolling-stock, and antiquated equipments, is also very small; that the railway land had been originally offered by China without compensation; that the entire line could be built and equipped to-day for 130,000,000 yen and that, therefore, the line is worth 65,000,000 yen due to its decrepit conditions as described; that Manchoukuo has a rightful claim to one-half of the line's interests and that, naturally, Manchoukuo needs to pay only 32,500,000 yen; but that Manchoukuo is willing to pay 50,000,000 yen out of courtesy and for the benefit of future Manchoukuo-Soviet relations. In short, the Soviet Union made the amount of actual investments as the basis of fixing the transfer price, while Manchoukuo took into consideration the current value of the railway.

Furthermore, the gap between the two proposed prices was greater than as it actually appears as the Soviet price, in term of Japanese paper currency and its own proposed exchange rate, namely, 1.04 gold yen or 2.50 yen in paper currency, would become 650,000,000 yen or more than twelve times larger than the Manchoukuo price.

These opposing contentions naturally led to the question of ownership which became the chief subject of discussion during the fourth session on July 5. Ambassador Yurenev quoted all available documents to establish the Soviet claim. Among them were the Peking Agreement of 1924 (Article 9, Section 2, and Article 7), the Mukden Agreement of 1924 (Article 1, Sections 2, 7, and 12), the Manchoukuo Declaration of March 12, 1932, and the report of the Pacific and Far Eastern Committee of the Washington Conference in 1922 (presented on January 23, 1922). He also made implied references to the preliminary conversations for the same purpose. Against this contention, Mr. Ohashi maintained that there is no treaty provision whatsoever which clearly proves the Soviet ownership of the railway, that the mere provision of funds for the construction does not constitute the ownership of the lines built, that the Soviet Government in 1917 had renounced all secret agreements including the one which became the basis for the construction of the Chinese Eastern Railway, that the Karakhan declarations of June 25, 1919, and September 27, 1920, announced the Soviet intention to return to China without compensation the railway in question together with all other rights which the Czarist Government had extracted from China, and that China merely gave to Russia the right of joint management under the Peking and