

中國
鐵路
借款
合同
全集
上冊



RAILWAY
LOAN AGREEMENTS
OF CHINA

Volume I

中國
鐵路

借款
合同
全集

(一)

原序

語曰。知彼知己。百戰百勝。顧豈惟用兵。百凡事業。類莫不皆然。
吾國海通以來。政教學術。以訖商工。靡不相形見絀。其病在己。
之情勢歷史。初未能洞察。因無所據。以爲設施。夫己之不知。彼
於何有。欲其不墮。蓋亦難矣。余從政以來。役於路事。恆喜搜閱
檔案。以爲簿書圖籍。實精神之所寄。不賢識小。分所應爲。而吾
國鐵路十八九。涉於外交。則於諸有關之條約合同。尤所致力。
亦以知彼知己之徑。非是莫由也。顧載籍浩缺。湊集爲難。在再

PREFACE.

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The Western proverb, "Knowledge is Power" certainly has a maximum amount of truth in it, when considered in the light of modern business and modern organizations. Without knowledge, no power or strength can be of any advantage. No sooner had China thrown her doors open to the world than was she invaded on all sides by the vast influences of modern political ideas, religious thoughts and scientific achievements. In the light of this new civilization or new culture, our faults and imperfections were at once revealed. But, however, varied these shortcomings may be, they can be traced, one and all, to the same origin, namely, the lack of knowledge of our neighbors as well as ourselves.

Ever since I entered upon my political career, I have concerned myself with railway matters. It has been my pleasure to make researches into a large number of documentary papers about our railways. But as in nine cases out of ten, our railway problems border on diplomatic relations with foreign countries, I have also devoted part of my leisure time to a study of the Treaties and Railway Loan Agreements entered into between China and other countries. A desire has been cherished for years to make a collection of such literature. Owing to the meagreness of the material that was accessible as well as the difficulty with which my work was

數秋。迄未就緒。去歲乃屬王君景春。爲繼其役。王君竭一年之力。蒐集鉤稽。以成斯編。於是吾國鐵路之合同。乃有成本。其有關鐵路之條約。尙須俟諸續集。用先將上編付印。以餉同人。余披覽一周。覺有數善。自來同類之書。如光緒條約。軌政紀要等。或限於部居。或拘於時代。此則由昔及今。蒐采無遺。藏山可觀。開卷有得。其善一也。往者諸編限於本邦文字。往往毫釐千里。詞是意非。學子之研求。輿論之評議。沿謬疊繆。障害叢生。茲則一篇之內。合璧聯珠。匪但存真。且以求是。不費懷鉛之力。足破

carried on, I regret my inability to accomplish anything that is commendable. Fortunately, I secured the assistance of Dr. Ching-Chun Wang and his associates, whose painstaking efforts have made this present work possible.

This volume is concerned with Railway Loan Agreements. The second volume will deal with Treaties, Protocols, and other international agreements or undertakings which contain provisions concerning railway matters in China. The present volume and the one to follow will serve as a standard work of reference and cannot fail to answer the needs of those who are interested in our railways.

Its usefulness will increase as its scope and contents are gradually amplified from time to time by additional material.

A general perusal of this work enables me to point out three merits which are not equaled by those of the previous works of the same kind. Firstly, the old works, such as the Digest of Railway Loan Agreements, and the compilation of Kwang Hsu Treaties, etc., are rather narrow in scope and limited in the period which they cover. This work, on the other hand, is marked by the richness in material, both old and new, which has perhaps never previously been brought into the pages of a single volume. In looking at the work in detail, one is brought face to face with such a veritable store of useful and enlightening information.

Secondly, the previous works of this sort were either in the Chinese or some foreign language alone. As most of the international agreements of this sort are in two or more languages, all of which carry force in the definition of the

捫籥之談。其善二也。校讎之事。往哲所科。而近日所刊此類之書。脫誤仍然間出。茲則始自最錄。迄付剖人。一字之差。往返尋勘。魯魚亥豕。可曰無之。其善三也。綜是三端。足稱完璧。尙希王君出其餘暇。促成下篇。庶冀手是編者。知吾國鐵路歷史彼己之內容。其煩雜複雜蓋如此。因以考求因應維持之法。而不徒爲一切浮論所蒙。是則區區之微意也夫。

民國五年四月葉恭綽序

meaning of the respective agreements, the disadvantage of a compilation that has only one or simply a translation of the several languages used in the agreements can be readily appreciated. This defect in former works of this nature has undoubtedly been a cause of the misunderstandings, wrong impressions and improper criticisms of railway questions. The present work tries to avoid this difficulty by printing the Chinese and the foreign versions side by side in the same page. Not only the original texts in both languages of each agreement are constantly kept before the eyes of the reader, but ready reference may be made from the one to the other without the trouble of turning the page.

Thirdly, all the old publications on this subject abound in lithographical errors which materially add to the difficulties in reading and interpretation. Special efforts seem to have been made in the preparation of this volume, to reduce such errors to a minimum.

These merits combine to enhance the value of this volume as a work of reference. It is hoped that Dr. Wang will soon find time to complete the second volume so that we may before long place a complete compilation of information concerning one of the many aspects of China's railways at the disposal of those whose business or interest requires them to have a thorough knowledge of our railways. It is hoped that the result of Dr. Wang's labors will prove of great value in establishing a real understanding of our railways but in the solution of our railway problems as well.

(Signed) Kung-Cho Yeh.

Peking, January, 1916.

## 增刊全國鐵路借款合同彙編序

余前在鐵路會計司長任內曾集國有各鐵路合同彙爲一編書成閱者咸稱利便惟當時蒐集檔案至感困難故各合同大抵僅列原文至一切附屬相關各文件往往付諸缺略又以文字互異卷帙浩繁印刷校讐非出一手歧異謬誤之點在所不免矧自民國五年之後合同之增訂者日益加多是編遂不無遺憾初意原欲隨時增修藉臻完備乃始則承乏京漢繼則銜命赴歐返國後又復於役中東離部日久卒卒未有暇晷今年秋景春忝司路政而數年來未竟之願至是始克有償爰屬張君福運張君恩鏗李君廣釗將是編重加修輯着手未久而張福運李廣釗兩君復奉 派赴美遂以是編屬諸林君則蒸張

### PREFACE TO THE REVISED EDITION OF THE RAILWAY LOAN AGREEMENTS.

—:O:—

This volume is the revised edition of the first publication of the Railway Loan Agreements compiled by the Department of Accounts in 1916, when I was Director of the said Department, and embraces all the necessary alterations, amplifications and improvements, of which the first Edition stood in need. The deficiencies found in the first Edition were due to various causes, viz: the difficulty experienced in collecting a complete set of documents for any particular agreement resulting in the publishing of the main text only, and in omitting all supplementary articles; the difference in the meaning of the wording of the original text as compared to that of the translated version; and the unsatisfactory method of proof-reading. The addition of subsequent agreements made by the different railways since 1916 had further necessitated this revised edition.

Recognising these imperfections I had long been entertaining the hope of revising and amplifying the first edition in time to come, but because of my various appointments—to the Managing Directorship of the Peking-Hankow Line, to the Peace Conference in Paris and finally to the Associate Directorship of the Chinese Eastern Railway—which necessitated my absence from the Ministry, I had no opportunity of fulfilling my wish until this autumn, when I was appointed Director of the Railway Department.

君恩綏總司大綱督理其事而以吳鼎銘裘路兩君綜覽全編  
 勘訂謬誤釐定體例以歸一致復以林兆璠蘇曾貽殷右青李  
 緒軒黃兆基饒用澤趙藍田史譯宜李益年趙錫章韓壽隆諸  
 君分任勘警校對之勞閱時半載始克蒞事於是各路合同起  
 前清末葉訖民國十年鉅細靡遺燦然臚列其前後相關各文  
 件凡有檔案可稽者莫不比屬相附參益其間故卷帙較前增  
 多以視原編不可謂非進步至若民業及外商承辦各路始擬  
 搜集合同另刊一編以爲是編之續徒以案牘不完蒐羅匪易  
 有志未逮仍當俟爲後圖即是編之增輯著志數年而以格於  
 事勢迄未有遂一旦觀厥成功此固不佞所引爲深幸抑又有  
 進者是編與前編之相距其間不過數年而所增已不啻三分

Soon after my assumption of office I undertook the long desired work and with the helpful cooperation of able collaborators I succeeded, after six months' persistent labour, in producing the second Edition of the Railway Loan Agreements. In this revised volume all accessible agreements ranging from 1896-1921 with their supplementary documents are provided. With regard to the agreements of those railways financed by private and foreign capital, it was originally planned to publish a separate volume but owing to the incompleteness of necessary data such work will be taken up in future.

It is gratifying to note that the present edition, which is the fruit of so much effort and labour, has increased in volume in a few years to the extent of more than one third of that of the first Edition. The publishing of a fresh volume will be necessary as the number of new and renewed agreements multiply.

I express the hope that this edition, which represents the attainment of a long-cherished desire, will prove to be valuable and useful, and that the Ministry will revise and enlarge it from time to time as necessity demands, thus making it as complete and perfect as possible for purposes of information and reference to those who are interested in the welfare of Chinese Railways.

In conclusion I wish to express my thanks to the following members of the Ministry who had assisted in the preparation of this revised edition for the able cooperation and perseverance with which they had discharged their various duties: Messrs. Chang Fu-yun, Li Kwang-chao and Chang En-huang who had



之一循是以往更歷數年則新增續訂之合同必又積而成帙

所望當事諸君隨時增刊俾臻詳備庶關心路政者藉可考其

得失借鏡相衡則是編之刊爲不虛而亦私衷所竊冀者耳是

爲序

中華民國十年十一月十一日經濟學博士王景春序

temporary charge of the work, which after the departure of the first two named was then undertaken by Messrs. T. T. Linn and Chang En-huang. They were ably assisted by Messrs. Wu Ting-ming and Chiu Kieh in connection with the reading of the whole text revising and rectifying of the whole volume. In addition Messrs. Lin Chao Pan, Su Tseng I, Yin Yu Ching, Li Hsu Hsuan, Huang Chao Chi, Jao Yung Tse, Chao Lan Tien, Shih I Hsuan, Li I Nien, Chao Hsi Chang, and Han Shou Yin also rendered valuable services in reading the proof sheets.

Railway Department,  
Ministry of Communications,  
Peking, 11th, November, 1921.

C. C. Wang, M. A., Ph. D., L.L. D.

## 凡例

一是編編輯之主旨。已見序文。毋庸再述。

一是編專搜輯我國政府借款自辦之各鐵路借款合同。及其

他墊款函約等件。至全屬外人經營者。如滇越南滿等路。當

另分一編。以清界限。

一各合同等件。皆照簽字正式原文。將華洋文並刊。俾便參照。

一各合同內所譯名稱。不免有此同彼異之處。因原文如是。悉

仍其舊。

一是編目次。以各合同訂立先後爲序。但續訂之合同。及函約

等件。均附屬於合同之後。以便聯貫。

## COMPILERS' NOTE.

—:O:—

1. The object of this compilation is to collect and put into two handy volumes all the treaties, protocols, loan agreements, etc., pertaining to railways, to which the Chinese Government is a signatory party.

2. This volume contains the railway loan agreements and supplementary letters attached to such agreements. A separate volume is now in the process of compilation which will contain the treaties, protocols and agreements pertaining to railway rights and the concessioned lines such as the Yuannan-Annan and South Manchuria Railways, etc.

3. All the agreements and other documents contained herein have been compared with the original copies. The original signatory languages are printed side for side for easy reference.

4. No attempt is made to unify or in any way alter the different translations of terms found in the different agreements.

5. The agreements are arranged according to the dates upon which they were signed. The supplementary documents pertaining to each original agreement are, however, affixed to the original.

一自我國開辦鐵路以來。與外人所訂之合同。無論其尙有效力。或已期滿。如蘆漢鐵路借款合同。及香港政府粵漢鐵路借款合同等。曾經註銷者。亦一併編入。俾閱者藉悉我國鐵路之顛末。但雖竭力搜羅。或恐尙有遺漏。且爲新訂合同。可隨時編入起見。故作活動裝訂。以便追加。

一合同華文。每款均於眉端撮要。記以括弧。取便查閱。

一校對雖經三四次。仍不免有差誤之處。除編列跋誤表外。讀者如有發見。尙祈通告。以便修正。

一是編輯時。甚蒙經營合同及案卷諸公贊助。特此誌謝。

民國十一年春日編者識

6. Railway Agreements, like that of the Lu Han and the Hongkong Government Sterling Loan, etc, which have already expired, are also included so as present to the reader a complete history of this phase of our railway problems.

7. This volume is bound in loose-leaf form in order to permit the addition of new and over-looked material.

8. For convenient reference, the subject of each article in Chinese version is extracted and put in parentheses at the beginning of the article.

9. In spite of careful proof reading and checking against the original texts before publication, there are still to be errors. Except the errata attached to the end of this volume, efforts will be made to improve them in future editions.

10. The compilers are thankful to the officers in charge of the archives in the Ministry of Communications for their courtesy and assistance.

Peking, February, 1921.

## 中國鐵路借款合同全集上冊目錄

|                           |                     |                          |
|---------------------------|---------------------|--------------------------|
| 東省鐵路公司合同                  | 光緒二十二年七月二十五日訂       | 所訂各款凡與西歷一八九六年九月二日訂       |
| 西歷一九二〇年續訂合同不抵觸者均屬有效       | 一頁至八頁               |                          |
| 中國政府與道勝銀行訂立入股合同           | 光緒二十二年八月初二日訂        | 西歷一八九六年九月八日訂             |
| 日訂                        | 九頁至十頁               |                          |
| 中東鐵路公司章程                  | 光緒二十二年西歷一八九六年十二月四日訂 | 所訂各條凡與西一九二〇年續訂合同不抵觸者均屬有效 |
| 關於交還東路撤退俄軍中俄續訂合同          | 光緒二十八年三月初一日訂        | 西歷一九〇二年三月二十六日訂           |
| 所訂各條凡與西歷一九二〇年續訂合同不抵觸者均屬有效 | 三十五頁至四十四頁           |                          |
| 管理東省鐵路續訂合同                | 民國九年九月二日訂           | 西歷一九二〇年九月二日訂             |
| 四十五頁至四十八頁                 |                     |                          |
| 蘆漢鐵路借款合同                  | 光緒二十三年四月二十六日訂       | 款已還清合西歷一八九七年五月二十七日訂      |
| 同無效                       | 四十九頁至六十八頁           |                          |
| 蘆漢鐵路借款續增合同                | 光緒二十三年六月二十八日訂       | 款已還清合同無效                 |
| 六十九頁至七十二頁                 |                     |                          |
| 蘆漢鐵路比國借款續訂詳細合同            | 光緒二十四年五月初六日訂        | 款已還清合同無效                 |
| 七十三頁至八十八頁                 |                     |                          |
| 蘆漢鐵路行車合同                  | 光緒二十四年五月初八日訂        | 款已還清合同無效                 |
| 八十九頁至九十四頁                 |                     |                          |

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關內外鐵路借款合同 光緒三十四年八月二十五日訂  
西歷一九〇八年十月十日訂 一百二十五頁至一百四十頁

英國交還關內外鐵路章程 光緒二十八年三月二十二日訂  
西歷一九〇二年四月二十九日訂 一百四十一頁至一百五十頁

關內外鐵路交還以後章程 光緒二十八年三月二十二日訂  
西歷一九〇二年四月二十九日訂 一百五十一頁至一百五十四頁

了結京奉鐵路借款撥項合同 光緒三十四年二月二十二日訂  
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京奉唐榆雙軌借款中英公司函約 民國十年四月二十二日訂  
西歷一九二三年四月二十二日訂 一百六十一頁至一百六十四頁

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| 新奉鐵路借款細目合同     | 宣統元年七月初三日訂<br>明治四十二年八月十八日訂           | 一百七十三頁至一百八十二頁 |
| 新奉吉長鐵路借款續約     | 光緒三十四年十月十九日訂<br>明治四十二年十月十二日訂         | 一百八十三頁至一百八十六頁 |
| 吉長鐵路借款細目合同     | 宣統元年七月初三日訂<br>明治四十二年八月十八日訂<br>因另訂新合同 | 一百八十七頁至一百九十六頁 |
| 本合作廢           |                                      |               |
| 吉長鐵路借款細目合同     | 民國大正六年十月十二日訂                         | 一百九十七頁至二百〇六頁  |
| 吉長鐵路借款細目合同     | 民國大正六年十月十二日訂                         | 二百〇七頁至二百二十頁   |
| 正太鐵路借款細目合同     | 光緒二十八年九月十四日訂<br>西歷一九〇三年十月十五日訂        | 二百二十一頁至二百三十六頁 |
| 正太鐵路行車合同       | 光緒二十八年九月十四日訂<br>西歷一九〇三年十月十五日訂        | 二百三十七頁至二百四十二頁 |
| 滬甯鐵路借款合同       | 光緒二十九年閏五月十五日訂<br>西歷一九〇三年七月九日訂        | 二百四十三頁至二百七十頁  |
| 滬甯鐵路總管理處續訂辦事新章 | 光緒三十四年<br>西歷一九〇八年四月十三日訂              | 二百七十一頁至二百七十六頁 |

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| 津浦德華銀行臨時墊款憑函  | 民國元年七月十一日訂<br>西歷一九一二年七月十一日訂   |
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| 中英公司二百十萬兩短期借款函約   | 民國四年十二月四日訂                   |
| 日 款已還清除函內第七條外餘均無效 | 四百五十七頁至四百六十頁                 |
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| 贖回上海楓涇鐵路議訂條款      | 民國三年二月十四日訂<br>西歷一九一四年二月十四日訂  |
| 上海楓涇鐵路清還抵欠借款合同    | 民國三年一月十四日訂<br>西歷一九一四年二月十四日訂  |
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