

# 工部局董事会 会议录

第一册

上海市档案馆 编



上海古籍出版社

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编审委员会主任 张 乾

编审委员会副主任 史梅定

执 行 主 审 马长林

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《工部局董事会会议录》  
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# 序

上海市档案馆馆长 张 乾

上海公共租界工部局董事会会议录是上海市档案馆所藏租界档案的一部分。一百四五十年前形成的文字记录,至今仍保存得十分完好,无论从档案形态本身还是从其所含的丰富内容来看,工部局董事会会议录堪称档案资料中价值极高的珍品,为海内外专家学者所重视。尤其近几年来,到上海市档案馆查阅档案的香港、台湾地区和外国学者不断增多。随着“上海研究热”的兴起,不少学者将注意力投向昔日上海的租界,有的研究租界内的文化娱乐设施,有的研究租界内的工商企业,有的研究租界内的难民状况,有的则研究租界管理机构,使对租界档案的利用逐渐成为热点。

这几年上海市档案馆在加快向社会开放档案的同时,重视营造一种方便用档的宽松环境,以便国内外的利用者都能在这里查到所需要的档案资料,得到满意的服务。这种服务包括提供计算机自行检索档案目录,整理编辑的专题性目录,以及出版的档案史料汇编等多方面的内容。

工部局董事会会议录是租界档案中比较全面系统反映租界历史的档案资料,以前出于保护技术上的原因,一般读者较难查阅,从80年代中期开始,本馆即组织力量,包括向社会聘请一批离退休专业人员进行翻译,以便更方便地供史学界、学术界及社会各方面利用。如今经过多年的努力,在上海古籍出版社的大力支持下,这部时间跨度达90余年、汉译达600多万字的工部局董事会会议录终于正式出版,这是一件值得庆贺的事。相信一定会引起海内外租界史研究者的兴趣。

为方便利用者查对原文和满足国外学者查阅原件的愿望,上海古籍出版社化大投资将原版英文同中文译文合在一起出版,这无疑是深得重望之举,在此特向上海古籍出版社深表敬意。同时,许多同志为保证译文的正确,默默无闻地工作,为我馆外档案史料的开发作出了很大贡献,在此也表示衷心的感谢!我们希望,经过各方面的努力,能有更多的精品档案史料问世。

## Preface

The Minutes of Shanghai Municipal Council of the International Settlement of Shanghai is a part of the Foreign Settlement archives preserved in Shanghai Municipal Archives. Though the Minutes are word records produced one hundred forty or fifty years ago, yet they have been well preserved up to now and are still rather perfect. It's true that the minutes are valuable rare archival materials whether viewed from their shapes or contents, so the experts and scholars both overseas and at home devote much attention to them. Especially in the last few years, the number of scholars from Hongkong, Taiwan regions and abroad coming to Shanghai Municipal Archives for looking up archival materials continually increased. With "intense interest in study of Shanghai" rising, so many scholars have turned their attention to the former Foreign Settlement of Shanghai, some of them make study of cultural and entertainment facilities therein, some do of the industrial and commercial enterprises, some do of the condition of the refugees, or the administrative organs, that making access to the archival materials on Foreign Settlement is growing a "hot point".

In these few years, Shanghai Municipal Archives attached importance to create a broad and comfortable environment for making the archival materials accessible while quickening the steps of opening them to the public so that the users both abroad and at home may find the archival materials they need and enjoy satisfactory service. The service contains retrieval by oneself of the archival catalog, the catalog of special subjects through the materials arranged and edited, and the published compilation of archival materials and other items.

Among the archival materials of the Foreign Settlement the Minutes are the materials reflecting the history of the Foreign Settlement more systematically and allsidedly. However it was difficult for general readers to look up these materials on account of some technical problems of preservation. Since the mid-80's of the 20<sup>th</sup> century, our Archives began to organize personnel into translating the Minutes, including a group of retired professionals being invited applications for this job, so as to make the materials more accessible for various uses by the historical, academic circles and society. After years' hard work, and with the great support of Shanghai Classics Publishing House, the Minutes of Shanghai Municipal Council having time span of more than 90 years with Chinese version of 6 million characters are formally published at last. It is a matter worthy of congratulation. I am sure it will arouse the interest of the researchers of the Foreign Settlement history both overseas and at home.

Shanghai Classics Publishing House, with a large sum of funds, published by photoprint the original English Minutes with version of Chinese translation in order to both convenience the

users to check the Chinese version by the English original and to meet the overseas scholars' desire for looking up the original Minutes. No doubt, it is a move appealing very much to the public. I wish to express my most respects to Shanghai Classics Publishing House for it. At the same time, I wish also to extend my heartfelt thanks to the comrades who worked hard obscurely for ensuring the correctness of the translation of Chinese version and having made great contributions towards development of our Archives' archival materials in foreign language! I hope more choice historical materials will be published after various efforts.

Zhang Qian

Director of Shanghai Municipal Archives

# 前言

在有关近代上海历史的各种史料中,恐怕没有一种像上海公共租界工部局董事会会议录那样,时间跨度大,内容丰富,连续性强,且版本特殊。这是一部完整记录上海公共租界(包括其前身英租界)管理机构工部局董事会历次会议召开情况的会议录,从1854年7月17日工部局成立后召开的第一次会议,到1943年12月17日工部局解散前举行的最后一次会议,历时90余年。这90多年,正是近代上海在不平等条约的重压和影响下,对外成为通商口岸后,从一个传统型的城镇,变成全国的贸易中心,变为一个引进不少西方物质文明、产生许多近代工商企业的开放型国际大都市的过程。也正是在这90多年中,近代中国发生了风云激荡的急剧变化,腐朽没落的封建帝制同资产阶级改良派、革命派发生了剧烈冲突,列强的殖民统治同中国人民反抗奴役和压迫的斗争日益激化,由马克思主义的传播引起的反封建帝制、军阀统治和帝国主义侵略瓜分的斗争浪潮风起云涌,封建王朝同帝国主义以及帝国主义内部的矛盾错综复杂。所有这些社会、政治、经济、文化的变化,都不同程度地在这长达90多年的会议录中有所反映。

自《南京条约》规定上海作为通商口岸后,1843年11月17日上海正式对外宣布开埠。此后外国侨民,特别是英国侨民,源源不断地来到上海,经商、贸易、传教。1845年11月,英国驻沪领事巴富尔同上海道台宫慕久商定了一份《上海土地章程》,规定在上海县城之北傍依黄浦江的地方划出一块地皮作为英商居留地,其四界为南至洋泾浜(今延安东路),北至李家场(今北京东路),东至黄浦江,西面将近界路(今河南路),允许来沪的外国侨民在此居留地内租地造屋,并实行英国专管。最初辟设的英商居留地本来规定华洋分居,即专门由外商居住,中国居民不准入内居住。但几年之后,小刀会起义军攻占上海县城和太平天国军队进攻江南,引起大批华人入居英商居留地,原先的“华洋分居”变为“华洋杂居”。与此同时,英商居留地的性质也开始发生变化。

早在1846年,即英商居留地开辟后不久,其内居住的外国侨民就推选了3名侨民组成道路码头委员会,负责居留地内道路码头建造、城区下水道建设的筹划等市政事务的实施。到了1854年,居留地内的外侨社会和英美驻沪领事根据形势的变化和道路码头委员会运行数年的经验,擅自修改了1845年公布的《上海土地章程》,并据此选举了7名董事,成立了工部局,作为居留地的管理机构。1854年7月17日工部局董事会在首次召开的会议上即决议成立警务、税收等三个专门委员会,并决定设立专职警务力量。由此意味着原先的英商居留地已完成了向英租界的转变。

众所周知,素有“国中之国”之称的租界,是中国主权丧失的典型标志,是帝国主义

侵略中国的基地。我们从长达 90 年未曾间断的工部局会议录可以看出,旧中国主权的丧失和帝国主义列强、殖民主义者侵略野心的扩大,是一个逐步发展的过程,这正如曾经担任过英国驻沪领事、英国驻华公使,对上海租界的早期发展有过重要影响的阿礼国所说:“部分是由于失去控制,环境所逼,部分是由于居住在这个国家的西人社会的愿望,中国政府已经在很大程度上放弃了维护外国租界治安、秩序和良好管理的责任和义务,这些责任和义务无疑本应属于领土主权国的。”(1867 年 1 月 14 日会议录)阿礼国此话表明,租界内中国主权的丧失,有两方面因素在起作用。一方面是清政府,包括后来的北洋政府,因腐朽没落导致在处理对外关系事务中的软弱无能,任人宰割;另一方面是外国列强、殖民主义者,凭借其经济军事实力而表现的横蛮无理和肆意扩张。从工部局董事会会议录反映出,至少在 1880 年前,很难说工部局敢于同清政府上海地方官分庭抗礼,相反倒是经常要求清政府上海地方官在市政建设等方面给予经费资助。究其原因,并非是工部局不想随心所欲。早在 1862 年,工部局所属防卫委员会就乘着太平天国起义军威胁清朝政权之机,提出实行“自由市”计划,企图使租界完全脱离中国政府的控制,但最后此计划销声匿迹,其主要原因是工部局此时的实力还不强。当时工部局通过各种税收获取的年收入十分有限,基本上只能维持工部局市政年度的正常开销,工部局所属的机构部门也不庞大,特别是警务力量配额不足,为纳税人会议所严格控制,这些都决定了工部局无论在处理同清政府上海地方官的关系上,还是对待租界内华人居民的态度上,还比较注意分寸,不敢肆无忌惮。而 1880 年以后,特别是到了 20 世纪以后,情况就有了很大的不同。此时工部局的税收额度大幅度增长,年收入达到或超过 1 千万两银子,所属机构庞大,特别是警务力量,19 世纪 70 年代时,工部局警务人员的编制不到 200 人,到 1937 年时,工部局警务处有 13 个巡捕房,共有巡捕 6452 人,其中光“包打听”(便衣侦探)就达 1713 人,整个警务系统人员超过工部局职员人数二分之一,经费占工部局全年经费三分之一强,再加总数超过 2 千人的外侨武装团体——万国商团,工部局的实力已今非昔比。由此,它在同清政府地方官打交道、对待华人居民,以及扩充租界范围等问题上,多呈咄咄逼人之势,十分霸道。1905 年大闹会审公堂案的爆发,20 年代初期工部局同闸北警方在越界筑路地区关于实施警权的冲突,1925 年五卅惨案的发生,等等,均是明证。

工部局董事会每年由纳税人大会选举产生,任期一年,可以连选连任。有资格充当候选人的当然并非是平民百姓,外国侨民除照章纳税外,须有价值满 500 银两以上的地产,每年缴纳 10 两以上房地捐,或有房产每年租金超过 500 银两以上者,方有资格作为工部局董事候选人。事实上能被推举为董事候选人的不是大洋行的老板,就是侨民中的著名人士或活跃人物。所以在历届工部局董事名单中,可以发现不少有名的外侨,如担任过美国驻沪领事、旗昌洋行经理、旗昌轮船公司创办人的金能亨,著名英国文化商人、《申报》创办者美查,热心于旅沪侨民混血儿童教育事业的大地产商汉璧礼,负责淞沪铁路构筑的英商淞沪铁路公司总工程师毛礼逊,热心公益事业的卜内门洋碱公司老板李德立,著名传教士麦都思,著名房地产商哈同,开设佑尼干律师事务所的美国律师费信惇,等等。被选举担任工部局董事的都不支薪水,其参加工部局会议,担任工部局某个委员会主席或成员,完全是尽义务。他们实质上是作为租界内外国侨

民的代表来管理租界,协调同英国官方、上海地方官府之间的关系。有时候侨民的利益同英国官方的利益并不一致,于是在董事会会议录中,我们可以看到工部局董事会在某些事情上的决定同英国驻沪领事的意愿背道而驰。

工部局董事会是工部局的最高决策机构,它通过董事会决议的方式,对公共租界内一些规章作出决定,平衡预算,同时也决定工部局本身机构的设置、人员的聘任,以及对各级人员职责的履行进行监督。董事会一般一个月召开两次会议,又称常会、例会,在这种会议上主要听取各专门委员会或工务、卫生、总办等职能部门的陈述和汇报,讨论提出的问题并作出决议。有时为了需要也召开特别会议,对一些专门问题进行讨论并决策。董事会既由纳税人大会选出,完全对纳税人大会负责,在每年的纳税人大会上须作年度工作报告,接收纳税人大会的监督和评定。凡涉及全局性的问题以及超过《土地章程》授权问题的决定,诸如捐税税率的确定,新开税种的决定,公债的发行,重要规章的出台,警务人员配额的确定,等等,必须经过纳税人大会投票表决,予以批准,才能视为合法有效。这种源于英国本土的施政模式,维系了工部局同纳税人之间的关系,保证了工部局整个系统的正常运作。

由于时间的迁移和有关原始资料的零乱,我们对上海公共租界及其管理机构工部局的发展变化了解得不甚清楚,特别是对于一些具体细节,诸如租界各个时期征收捐税的详细情况,租界内有关社会管理规章的产生及其内容,工部局各职能部门和附属机构设置的时间、人员配置、规模、职责及沿革,在工部局中长期担任重要职务或起重要作用的外侨的详细情况,等等,都知之甚少,这在一定程度上影响了我们对公共租界和工部局作全面的观察和科学的评价,而工部局董事会会议录则为我们提供了连续90多年比较系统的记录,多侧面地反映了公共租界和工部局的发展变化,对上海租界史乃至上海史、中国近代史研究来说,无疑是十分珍贵的材料。

另外,我们认为,工部局董事会会议录至少在以下几方面有其独特的史料价值。

一、记录和反映了工部局一些机构、制度开始设立和施行的确切时间。

如1861年10月25日会议录载:通过决议:为了对租界内所有西人房产订定更完备更完整的摊派捐税,雇佣一名有能力的人做这项服务工作,立即对西人的房屋进行重新估价。

这是工部局建立以来董事会首次作出这样的决定,由此可以知道这是工部局聘任专职房屋估价员之开端。从目前已经掌握的材料我们知道,房捐在工部局收入中占有十分重要的地位,而房捐征收的数额又建筑在对房屋价格的正确估定上。透过这条记录,我们对工部局征收房捐的整个运作环节有了更为完整的了解。

如1863年7月15日会议录载:总办告诉董事会,在书信馆筹备小组委员会的指导下,工部书信馆已经在本月13日建立——该馆设在原老旗昌(洋行)的屋子内,坐落在邮包经办处附近。

1865年8月7日会议录载:工部书信馆 邮票业已发行,可到工部书信馆购买。

这两条记录告诉我们工部书信馆建立的确切时间和设置地点,以及邮票发行的时间。工部书信馆是近代中国第一个商埠邮政机构,它发行的邮票是近代中国最早的商埠邮票。会议录中类似的记录使我们了解到更多有关工部书信馆的信息。

如 1870 年 6 月 13 日会议录载:会议通过决议:今后在所有的官方文件中,停止使用“英美租界”这一名词,而可以用“上海公共租界”这几个字来标明工部局管辖范围的整个租界。

这使我们了解到“上海公共租界”这一名称使用的最早时间。

如 1871 年 2 月 6 日会议录载:摘自 1871 年 1 月 31 日下午 2 时遵照通知在英国领事馆举行的领事会议的会议记录。西人领事公堂组成:“对公堂法官已举行了投票选举,结果安纳克、麦华陀以及西华等 3 位先生分别获得 7 票、7 票和 6 票当选,并作出决定如下:待领事团批准后,本公堂将制定本堂所用之诉讼规程,并公布之。”

此条记录告诉我们领事公堂设立的确切时间。领事公堂也是公共租界内一个特殊的机构,它由多少领事组成,如何对以工部局为被告的诉讼案进行审理,以往我们了解甚少。实际上领事公堂审理的为数不多的案子很耐人寻味,至少说明工部局在打官司时不一定总是赢者。

二、记录和反映了公共租界捐税收入、开支和市政建设、社会经济等方面的基本情况。

会议录通过财政、捐税和上诉委员会的季度或年度报告,清楚地反映了工部局每一年各种捐税收入、各项开支以及整个财政平衡情况。我们从会议录获知,大体上在 19 世纪 60~70 年代工部局收支是基本平衡,略有结余,80~90 年代收入大幅度上升,本世纪初赢余增加。同时,会议录对市政建设方面的情况随工务处的报告而经常出现。

如 1866 年 11 月 16 日会议录载:英租界目前安装煤气灯数量为 175 盏,油灯 12 盏,虹口区油灯 18 盏。

上海公共租界是世界上较早使用煤气照明的城市。1865 年 12 月,煤气公司在南京路外滩至河南路之间免费为工部局安装了 10 盏新式煤气路灯,使南京路晚上大放光明。一年以后,遂有近 200 盏煤气路灯的安装。而与此相对照的是,以美国侨民为主居住的虹口租界,却一盏也没有。

此外如房屋交通的营造开辟,行业设置及有关竞争;娱乐开发金融信息;等等记录都有反映,而其中所涉及的各项物资的来源,等次,价格行情等,更无疑是研究中国近代经济史的极其珍贵的第一手资料。

三、记录了租界和工部局早期一些重要事件发生的起因。

如 1856 年 7 月 14 日会议录载:(英国领事)罗伯逊先生告诉董事会说,为了避免麻烦而又要保证处罚不太严重的违法行为,他已征得“知县”的许可,把带到他面前来的华人罪犯判处或轻或重的筑路劳动。同时为了安全防范起见用铁链把他们一组一组连锁在一起,但我们要供应他们食物。

19 世纪 50 年代中期开始到 60 年代末期,在公共租界内流行一种苦役制度,即强迫租界内捕获的违反警务法规的华人罪犯做苦工,而不是按照当时道台同外国领事所商定的办法将他们移送上海知县处罚,后来由于各方面的反对及工部局财政方面的原因,苦役制度才废止。苦役制度究竟从何时开始,何时结束,社会反响如何,会议录均有较详细的透露。

又如 1871 年 2 月 27 日会议录载:1869 年工部局购买了河南路福州路口地皮,该处地段适中,支付 16901.40 两,即 5000 英镑。应该承认,上海已经达到了如此重要的程度,可以承认它应该拥有合适的市政建筑,以及可以在其中召开大会的市政厅。工部局档案与年俱增,我(总办)认为应该提供保存档案的相应设备。甚至早在 1864 年时,就已注意到缺少与英国市政厅相类似的建筑。

这条记录反映了工部局市政厅建造的最初动因和时间。

以上数例表明,从某种意义上说,工部局董事会会议录是一部有关工部局管理活动的百科全书。当然,由于会议录毕竟是董事会开会情况的简要记录,而不是会议过程的详细叙述,因此,在阅读和利用此会议录时还需注意以下几点:

一、同相关资料互相参照阅读。一般来说,工部局董事会会议总是针对某些提交会议讨论的问题作出决议或制定规章,再交有关职能部门去执行。这些问题产生的缘由及发展过程,在会议录中往往较少有反映。同时,决议和规章决定后具体实行情况和结果如何,会议录中反映也不多。而上述情况,往往在其他文件中有较详细的记载。因此,要对某一史实的整个过程有完整的了解,较好的办法是在阅读会议录的基础上,将有关资料联系起来。反映公共租界的相关文献,从档案资料来讲,还有工部局年报,工部局公报,工部局总办同领袖领事、上海道台等各方面的来往信函,工务处、卫生处、警务处等各职能部门的报告及纳税人会议记录等,相比较而言,其中尤以工部局年报最为重要。

二、注意事情发展的连续性。由于工部局董事会是工部局的决策机构,故其在某些问题上的决策比较谨慎,特别对于一些费用开支较大的项目,往往反复进行论证。因此,从最初问题的提出到最后正式作出决定,时间间隔很长,若不注意,会以为某些事情议而不决,其实不然。

三、注意各次记录本身的不同风格。由于工部局董事会董事每年由公共租界纳税人大会选举产生,虽然有一些董事连选连任,但总的说来董事会成员变化很大,不同的董事会成员和不同的总董,其开会讨论的风格各不相同。反映在会议录上,有的记录十分详尽,甚至将职能部门每季度的工作报告都包括在内,有的记录则非常简略。这种内容详略的差异,一定程度上对我们全面系统地了解工部局董事会的工作情况有所影响。

1943 年年初,日本政府获悉英美等国将撤废在华治外法权,为使汪伪政府更加贴心地依附和支持它,便抢先一步,于 1943 年 1 月 9 日同汪伪政府签署了《关于归还租界及撤废治外法权之协定》,6 月 30 日又签署了《日本交还上海公共租界行政权实施细目条款》,规定上海公共租界行政权于 1943 年 8 月 1 日移交给汪伪政府。据此,由日方控制的工部局董事会,在 1943 年 12 月 17 日召开了最后一次会议后便寿终正寝。同年 1 月 11 日,英美两国分别同中国政府签署了《中美平等新约》、《中英平等新约》,规定撤废两国在华治外法权,放弃在中国的租界管理权。在重庆的国民政府当然不承认汪伪政府“收回”上海公共租界,直至 1945 年抗日战争胜利后,国民政府才真正从名义上收回上海公共租界。

上海公共租界的历史结束,至今已经 50 多年,租界的遗迹也消失得差不多了。然而尽管租界已成为过去,但租界在其形成和发展演变过程中留下的历史文化沉淀至今依然存在,并不时引起人们的种种思考:租界究竟给我们留下了什么遗产?我们应该怎样来评价和对待这份遗产?它对我们今天振兴上海,将上海建设成为一个国际性的大都市,有何借鉴意义?当你充分阅读了工部局董事会会议录后,或许会得到不少有益的启迪。

## Foreword

It is probable that among the historical materials relating to the modern history of Shanghai, there are none of them having so long span of time, so rich contents, so long continuity and so peculiar edition as much as the Minutes of Shanghai Municipal Council of the International Settlement of Shanghai. Shanghai Municipal Council of the International Settlement (including the preceding British Settlement) was the administrative organ of the Settlement. The Minutes recorded perfectly the situations of the Council member meetings convoked successively by Shanghai Municipal Council. The records from first convocation of the meeting after the establishment of Shanghai Municipal Council on 17<sup>th</sup> July, 1854 to the last meeting held before the Council disbanded on 17<sup>th</sup> Dec., 1943 lasted over 90 years long. In this period of 90 odd years, it was just a process that modern Shanghai under the heavy pressure and influence of the unequal treaty, became a treaty port changing from being a town of traditional type to a national trading center, and an opening-type international metropolis whence a lot of western material progress was introduced and lots of modern industrial and commercial enterprises produced. It was also just in this period, sharp changes happened in the unstable situation of modern China: Acute conflict broke out between the decadent and moribund feudal monarchy, and the capitalist reformists and revolutionaries, the struggle of Chinese people's revolt against slavery and oppression with the colonial rule of the foreign Powers intensified day by day. It's due to the spread of Maxism that the struggle wave against the rule of the feudal monarchy and warlords, and against the imperialist aggression and dividing policy was surging forward. In addition, the contradictions between the Imperial Court and the imperialists, and the inner-contradiction of the imperialists were intricate. All these changes in the fields of society, politics, economy and culture are more or less reflected in the Minutes of more than 90 years' records.

It was announced that Shanghai formally became an opening port on Nov. 17<sup>th</sup>, 1843 in accordance with the provisions laid down in "Nanjing Treaty", that is, "Shanghai shall be a treaty port". Hereafter, foreign nationals, especially British subjects, came in a steady flow to Shanghai engaging in trade and doing missionary work. In Nov. 1845 Balfour, the British Consul in Shanghai arranged with Shanghai Taotai Kung Mow-Kew for a document "Land Regulations" which provides that a piece of land be set apart from the north of Shanghai City and near the Huangpu River for the use of British businessmen's settlement. Its four boundaries were:

Upon the South: To Yangjingpang (now East Yanan Road)

Upon the East: To the Huangpu River

Upon the North: To Li-Jia-Chang (now East Beijing Road)

Upon the West: Nearly to Barrier Road (now Honan Road)

It was permitted that foreign nationals coming to Shanghai could rent land and build houses there and under British control. At the beginning, foreign nationals and Chinese people entered the settlement and settled down therein, that resulted from the occupation of Shanghai City by the uprising army of Small Sword Society, and from the Taiping Heavenly Kingdom's army attacking on Jiangnan. The previous "Foreign and Chinese people residing separately" then became "Foreign and Chinese people living mixedly". At the same time, the nature of the British businessmen's settlement began to change.

As early as in 1846, namely, soon after setting up the British businessmen's settlement, the foreign nationals residing therein had elected three nationals to organize a "Committee on Roads and Jetties" in charge of preparations for municipal affairs such as building roads, jetties and drainages within the settlement and of carrying the plans out. By 1854, the foreign community of the settlement together with the British and American Consuls in Shanghai taking advantage of change of the situation and by means of the experience gained from a few years' operation of the Committee on Roads and Jetties, revised the "Land Regulations" of 1845 without authorization, and according to the revised "Land Regulations", seven members were elected and the Shanghai Municipal Council was established as an administrative organ of the settlement. On July 17<sup>th</sup>, 1854, Shanghai Municipal Council resolved at the first session that three special committees—Police, Taxation and other one—be set up, and sworn police force be organized, it means thereby that the previous British businessmen's settlement had accomplished its shift to the British Settlement.

As is known to all, a Foreign Settlement, always known as "A Country in the midst of a Country", was a model mark of the forfeit of China's sovereignty and a base of imperialist aggression against China. We can see from the 90 years successive records of the Minutes of Shanghai Municipal Council that the forfeit of old China's sovereignty and the enlargement of imperialist Powers' and colonialists' ambitions for aggression was a process of gradual development. It is just as Alcock, who was once a British Consul in Shanghai, a British Minister to China and made major impact on the early development of the Settlement of Shanghai, said "... partly by the force of circumstances beyond control, and partly by the desire of the Foreign Communities settled in the country, from obligations and duties in respect to the maintenance of peace, order, and good government in the Foreign Settlements, which undoubtedly belong to the territorial sovereignty". (The Minutes Jan. 14, 1867) What Alcock said shows straightly that the forfeit of China's sovereignty over the Settlement resulted from the factors of two sides. The one was the Chinese Imperial Government including the later Northern Government; their corruption and decadence led to deal with foreign affairs in a weak and incompetent way, and to allow themselves be divided, and the other was the foreign Powers and colonialists, who showed imperiousness and wilful expansion by means of their economic and military strength. From what reflected in the Minutes of Shanghai Municipal Council, it is hard to say that at least before 1880,

Shanghai Municipal Council could boldly stand up as an equal to the local authorities of the Chinese Imperial Government. On the contrary, the Council often appealed to the Chinese local authorities to aid financially for their municipal construction, etc. That's not to say that the Council hadn't desired to do as they please. As early as in 1862, the Defence Committee under the Council, seizing the opportunity when the Qing Regime was threatened by the uprising army of Taiping Heavenly Kingdom, put forth the execution of the "Free City" plan, and attempted to make the Settlement fully out of the Chinese Government's control. However, this plan was in complete hiding at last. The main reason is that the strength of Shanghai Municipal Council was not strong enough to do it. The Council's revenue could only meet the municipal year's regular expenditure. Besides, the departments under the Council was not enormous enough, especially the police force was below strength due to the strict control by the Ratepayers' Association. That's why the Council dared not be wanton and had to take notice of its sense of propriety while dealing with its relationship with the local authorities of the Chinese Imperial Government or treating the Chinese residents of the Settlement. However, after 1880, especially by the 20<sup>th</sup> century, the situation was much different. The Council's revenue increased then by a big margin, amounting to more than 10 million taels of silver, and the Council departments were enormous, especially the police force, during the 70's of the 19<sup>th</sup> century, its establishment strength was below 200, and by 1937, there were 13 police stations under the SMC police department with 6452 policemen, among them, to mention solely "plain clothes policemen" (detectives) were 1713. The effective strength of police was one half more than the Council staff, and the police expenses made up more than 1/3 of the Council's annual funds. In addition, there were an extra alien armed organization of a strength over 2,000—known as Shanghai Volunteer Corps. The strength of the Council was not as it had been. Thereby the Council often put on an aggressive air and took a high-handed attitude while approaching the local authorities of the Chinese Imperial Government on any affairs, such as treatment to the Chinese residents, extending range of the Settlement, etc. All these can be proved by the following cases: 1905 saw the outbreak of fracas in the Mixed Court of Shanghai, the Council was in conflict with Chapei Police on policing jurisdiction over the area of extra-Settlement roads in the early 20's, and the Nanking Road Incident happened in 1925, etc.

The Council members were elected every year by the ratepayers meeting, and the term of office was one year, but they could be reelected and reappointed. Those who were qualified as the candidates were of course not common people. The foreign nationals who, apart from paying taxes according to the regulations, must possess a property at the value of over 500 taels of silver and pay annual municipal rate of over 10 taels of silver, or the rent income of their property were over 500 taels of silver, were qualified as candidates for the Council members. The one who was nominated for the candidate, as a matter of fact, either was a boss of a big foreign firm or a celebrated and active person in the foreign community. It can be seen from the name list of the successive Council members that there are quite a lot of well-known foreign nationals on it, such as

Edward Cunningham, who was once American Consul in Shanghai, manager of Russell & Co.; founder of Russell Steamship & Co.; Frederick Major, a notable British cultural merchant, founder of "ShunPao" (Chinese Daily News); Hanbury, a rich real estate dealer, enthusiastic in education cause for halfbreed children of the foreign nationals residing in Shanghai; Morrison, general engineer of Woosung-Shanghai Railway Co. in Charge of building the Woosung-Shanghai Railway; E. S. Little, boss of Imperial Chemical Industries, ardent in public welfare undertakings; W. H. Medhurst, celebrated missionary; Hardoon, well-known landed property dealer; Sterling Fessenden, founder of Messrs. Jernigan & Fessenden, etc. The one who was elected Council member drawing no pay, held the post of Chairman or member of certain Committee of the Council without reward. They were in fact representatives of the foreign nationals residing in the Settlement, administering the Settlement and coordinating the relationship between the British authorities, Chinese local authorities and them. Sometimes, there was not much correspondence between the nationals' benefit and that of the British authorities. It can be seen from the Minutes that the Council's decisions on certain matters ran counter to the wishes of the British Consul in Shanghai.

Shanghai Municipal Council was a supreme establishment of decisive policy of the Settlement. Its functions were: In accordance with the resolutions of the Council members meeting, making decisions on some regulations and rules of the Settlement, balancing budgets, deciding on establishment of its own departments and appointment of the staff, and supervising the exercise of the duties of its staff at all ranks. The Council convoked members meeting twice a month generally, that was called routine meeting. At the meeting the members heard the reports or statements made by all special Committees, or departments of Public Works, Health, Secretariat and so on, and discussed the matters brought forward and made resolutions. Sometimes there was need for convocation of special meeting too, so as to discuss and decide on special matters. Since the Council was elected by the ratepayers meeting, it was absolute to hold itself responsible to the ratepayers meeting, and annual work report must be made at the ratepayers meeting every year and be examined and assessed. Any matters, if involving overall interests or beyond the authorization of the "Land Regulations", must be authorized by voting of the ratepayers meeting, and then could be regarded as legal and valid. The matters were such as fixing tax rate, decision on new taxation, issue of loans, publishing important rules, determination of the strength of police, etc. This sort of administrative mould originating from England linked the relationship between Shanghai Municipal Council and the ratepayers, and ensured normal operation of the Council's whole system.

Owing to time passing and the related original materials being scattered and disorderly, we can't know clearly enough about the development and changes of the Foreign Settlement and its administrative organ—Shanghai Municipal Council, especially about some concrete details, such as taxation of different periods in the Settlement; how the administrative regulations came into being in the Settlement and what their contents were; when the Council's each departments and