

## CHINA.

## CHINA, 1844.

July 3, 1844.

TREATY OF PEACE, AMITY, AND COMMERCE, BETWEEN THE UNITED STATES OF AMERICA AND THE TA TSING EMPIRE, CONCLUDED AT WANG HIYA JULY 3, 1844; RATIFICATION ADVISED BY SENATE JANUARY 16, 1845; RATIFIED BY PRESIDENT JANUARY 17, 1845; RATIFICATIONS EXCHANGED AT PWAN TWANG DECEMBER 31, 1845; PROCLAIMED APRIL 18, 1846.

[Treaty of 1858 substituted for this treaty so far as the provisions relate to identical subjects.]

Contracting parties.

The United States of America and the Ta Tsing Empire, desiring to establish firm, lasting, and sincere friendship between the two nations, have resolved to fix, in a manner clear and positive, by means of a treaty or general convention of peace, amity, and commerce, the rules which shall in future be mutually observed in the intercourse of their respective countries:

Negotiators.

For which most desirable object the President of the United States has conferred full powers on their Commissioner, Caleb Cushing, Envoy Extraordinary and Minister Plenipotentiary of the United States to China; and the August Sovereign of the Ta Tsing Empire on his Minister and Commissioner Extraordinary Tsiyeng, of the Imperial House, a Vice Guardian of the Heir Apparent, Governor General of the Two Kwang, and Superintendent General of the trade and foreign intercourse of the five ports.

And the said Commissioners, after having exchanged their said full powers, and duly considered the premises, have agreed to the following articles:

## ARTICLE I.

Peace and amity.

There shall be a perfect, permanent, and universal peace, and a sincere and cordial amity, between the United States of America on the one part, and the Ta Tsing Empire on the other part, and between their people respectively, without exception of persons or places.

## ARTICLE II.

Duties on imports and exports.

Citizens of the United States resorting to China for the purposes of commerce will pay the duties of import and export prescribed in the tariff, which is fixed by and made a part of this treaty. They shall, in no case, be subject to other or higher duties than are or shall be required of the people of any other nation whatever. Fees and charges of every sort are wholly abolished, and officers of the revenue, who may be guilty of exaction, shall be punished according to the laws of China. If the Chinese Government desire to modify, in any respect, the said tariff, such modification shall be made only in consultation with Consuls or other functionaries thereto duly authorized in behalf of the United States, and with consent thereof. And if additional advantages or privileges, of whatever description, be conceded hereafter by China to any other nation, the United States, and the citizens thereof, shall be entitled thereupon to a complete, equal, and impartial participation in the same.

[See pp. 124-128.]

## ARTICLE III.

Open ports.

The citizens of the United States are permitted to frequent the five ports of Kwang-chow, Amoy, Fuchow, Ningpo, and Shanghai, and to reside with their families and trade there, and to proceed at pleasure

with their vessels and merchandise to and from any foreign port and either of the said five ports, and from either of the said five ports to any other of them. But said vessels shall not unlawfully enter the other ports of China, nor carry on a clandestine and fraudulent trade along the coasts thereof. And any vessel belonging to a citizen of the United States which violates this provision shall, with her cargo, be subject to confiscation to the Chinese Government.

Coasting trade.

## ARTICLE IV.

For the superintendence and regulation of the concerns of the citizens of the United States doing business at the said five ports, the Government of the United States may appoint Consuls or other officers at the same, who shall be duly recognized as such by the officers of the Chinese Government, and shall hold official intercourse and correspondence with the latter, either personal or in writing, as occasions may require, on terms of equality and reciprocal respect. If disrespectfully treated or aggrieved in any way by the local authorities, said officers on the one hand shall have the right to make representation of the same to the superior officers of the Chinese Government, who will see that full inquiry and strict justice be had in the premises; and, on the other hand, the said Consuls will carefully avoid all acts of unnecessary offence to, or collision with, the officers and people of China.

Consular officers.

## ARTICLE V.

At each of the said five ports, citizens of the United States lawfully engaged in commerce shall be permitted to import from their own or any other ports into China, and sell there, and purchase therein, and export to their own or any other ports, all manner of merchandise, of which the importation or exportation is not prohibited by this treaty, paying the duties which are prescribed by the tariff hereinbefore established, and no other charges whatsoever.

Commerce.

## ARTICLE VI.

Whenever any merchant vessel belonging to the United States shall enter either of the said five ports for trade, her papers shall be lodged with the Consul, or person charged with affairs, who will report the same to the commissioner of customs; and tonnage duty shall be paid on said vessel at the rate of five mace per ton, if she be over one hundred and fifty tons burden; and one mace per ton if she be of the burden of one hundred and fifty tons or under, according to the amount of her tonnage as specified in the register; said payment to be in full of the former charges of measurement and other fees, which are wholly abolished. And if any vessel, which having anchored at one of the said ports, and there paid tonnage duty, shall have occasion to go to any others of the said ports to complete the disposal of her cargo, the Consul, or person charged with affairs, will report the same to the commissioner of customs, who, on the departure of the said vessel, will note in the port-clearance that the tonnage duties have been paid, and report the same to the other custom-houses; in which case on entering another port the said vessel will only pay duty there on her cargo, but shall not be subject to the payment of tonnage duty a second time.

Tonnage duties.

## ARTICLE VII.

No tonnage duty shall be required on boats belonging to citizens of the United States, employed in the conveyance of passengers, baggage, letters, and articles of provision, or others not subject to duty, to or from any of the five ports. All cargo boats, however, conveying merchandise subject to duty, shall pay the regular tonnage duty of one mace

Cargo boats.

per ton, provided they belong to citizens of the United States, but not if hired by them from subjects of China.

#### ARTICLE VIII.

Employment of  
pilots, servants,  
&c.

Citizens of the United States, for their vessels bound in, shall be allowed to engage pilots, who will report said vessels at the passes, and take them into port; and, when the lawful duties have all been paid, they may engage pilots to leave port. It shall also be lawful for them to hire, at pleasure, servants, compradors, linguists, and writers, and passage or cargo boats, and to employ laborers, seamen, and persons for whatever necessary service, for a reasonable compensation, to be agreed on by the parties, or settled by application to the Consular Officer of their Government, without interference on the part of the local officers of the Chinese Government.

#### ARTICLE IX.

Custom-house  
officers.

Whenever merchant vessels belonging to the United States shall have entered port, the superintendent of customs will, if he see fit, appoint custom-house officers to guard said vessels, who may live on board the ship or their own boats, at their convenience; but provision for the subsistence of said officers shall be made by the superintendent of customs, and they shall not be entitled to any allowance from the vessel or owner thereof; and they shall be subject to a suitable punishment for any exaction practiced by them in violation of this regulation.

#### ARTICLE X.

Vessels of the  
United States ar-  
riving in China.

Whenever a merchant vessel belonging to the United States shall cast anchor in either of said ports, the supercargo, master, or consignee, will, within forty-eight hours, deposit the ship's papers in the hands of the Consul or person charged with the affairs of the United States, who will cause to be communicated to the superintendent of customs a true report of the name and tonnage of such vessel, the names of her men, and of the cargo on board; which being done, the superintendent will give a permit for the discharge of her cargo.

And the master, supercargo, or consignee, if he proceed to discharge the cargo without such permit, shall incur a fine of five hundred dollars; and the goods so discharged without permit shall be subject to forfeiture to the Chinese Government. But if the master of any vessel in port desire to discharge a part only of the cargo, it shall be lawful for him to do so, paying duties on such part only, and to proceed with the remainder to any other ports.

Or, if the master so desire, he may, within forty-eight hours after the arrival of the vessel, but not later, decide to depart without breaking bulk; in which case he will not be subject to pay tonnage or other duties or charges, until, on his arrival at another port, he shall proceed to discharge cargo, when he will pay the duties on vessel and cargo, according to law. And the tonnage duties shall be held to be due after the expiration of said forty-eight hours.

#### ARTICLE XI.

Ascertainment of  
duties.

The superintendent of customs, in order to the collection of the proper duties, will, on application made to him through the Consul, appoint suitable officers, who shall proceed, in the presence of the captain, supercargo, or consignee, to make a just and fair examination of all goods in the act of being discharged for importation, or laden for exportation on board any merchant vessel of the United States. And if dispute occur in regard to the value of goods subject to an *ad valorem* duty, or in regard to the amount of tare, and the same cannot be satisfactorily ar-

ranged by the parties, the question may, within twenty four hours, and not afterwards, be referred to the said Consul to adjust with the superintendent of customs.

#### ARTICLE XII.

Sets of standard balances, and also weights and measures, duly prepared, stamped, and sealed, according to the standard of the custom-house at Canton, shall be delivered by the superintendents of customs to the Consuls at each of the five ports, to secure uniformity, and prevent confusion in measures and weights of merchandise.

Standards of weights and measures.

#### ARTICLE XIII.

The tonnage duty on vessels belonging to citizens of the United States shall be paid on their being admitted to entry. Duties of import shall be paid on the discharge of the goods, and duties of export on the lading of the same. When all such duties shall have been paid, and not before, the superintendent of customs shall give a port-clearance, and the Consul shall return the ship's papers, so that she may depart on her voyage. The duties shall be paid to the shroffs authorized by the Chinese Government to receive the same in its behalf. Duties payable by merchants of the United States shall be received either in sycee silver or in foreign money, at the rate of exchange as ascertained by the regulations now in force. And imported goods, on their resale or transit in any part of the empire, shall be subject to the imposition of no other duty than they are accustomed to pay at the date of this treaty.

Payment of tonnage and other duties.

#### ARTICLE XIV.

No goods on board of any merchant vessel of the United States in port are to be transhipped to another vessel, unless there be particular occasion therefor; in which case, the occasion shall be certified by the Consul to the superintendent of customs, who may appoint officers to examine into the facts, and permit the transhipment. And if any goods be transhipped without such application, inquiry, and permit, they shall be subject to be forfeited to the Chinese Government.

Transhipment of goods.

#### ARTICLE XV.

The former limitation of the trade of foreign nations to certain persons appointed at Canton by the Government, and commonly called hong-merchants, having been abolished, citizens of the United States engaged in the purchase or sale of goods of import or export, are admitted to trade with any and all subjects of China without distinction; they shall not be subject to any new limitations, nor impeded in their business by monopolies or other injurious restrictions.

Liberty of trade.

#### ARTICLE XVI.

The Chinese Government will not hold itself responsible for any debts which may happen to be due from subjects of China to the citizens of the United States, or for frauds committed by them; but citizens of the United States may seek redress in law; and on suitable representation being made to the Chinese local authorities through the Consul, they will cause due examination in the premises, and take all proper steps to compel satisfaction. But in case the debtor be dead, or without property, or have absconded, the creditor cannot be indemnified according to the old system of the co-hong, so called. And if citizens of the United States be indebted to subjects of China, the latter may seek redress in the same way through the Consul, but without any responsibility for the debt on the part of the United States.

Collection of debts.

## ARTICLE XVII.

Privileges of citizens of the United States at the open ports.

Citizens of the United States residing or sojourning at any of the ports open to foreign commerce shall enjoy all proper accommodation in obtaining houses and places of business, or in hiring sites from the inhabitants on which to construct houses and places of business, and also hospitals, churches, and cemeteries. The local authorities of the two Governments shall select in concert the sites for the foregoing objects, having due regard to the feelings of the people in the location thereof; and the parties interested will fix the rent by mutual agreement, the proprietors on the one hand not demanding any exorbitant price, nor the merchants on the other unreasonably insisting on particular spots, but each conducting with justice and moderation. And any desecration of said cemeteries by subjects of China shall be severely punished according to law.

At the places of anchorage of the vessels of the United States, the citizens of the United States, merchants, seamen, or others sojourning there, may pass and repass in the immediate neighborhood; but they shall not at their pleasure make excursions into the country among the villages at large, nor shall they repair to public marts for the purpose of disposing of goods unlawfully and in fraud of the revenue.

And, in order to the preservation of the public peace, the local officers of the Government at each of the five ports shall, in concert with the Consuls, define the limits beyond which it shall not be lawful for citizens of the United States to go.

## ARTICLE XVIII.

Teachers, &c.

It shall be lawful for the officers or citizens of the United States to employ scholars and people of any part of China, without distinction of persons, to teach any of the languages of the empire, and to assist in literary labors; and the persons so employed shall not, for that cause, be subject to any injury on the part either of the Government or of individuals; and it shall in like manner be lawful for citizens of the United States to purchase all manner of books in China.

## ARTICLE XIX.

Protection to citizens of United States.

All citizens of the United States in China, peaceably attending to their affairs, being placed on a common footing of amity and good will with subjects of China, shall receive and enjoy, for themselves and everything appertaining to them, the special protection of the local authorities of Government, who shall defend them from all insult or injury of any sort on the part of the Chinese. If their dwellings or property be threatened or attacked by mobs, incendiaries, or other violent or lawless persons, the local officers, on requisition of the Consul, will immediately despatch a military force to disperse the rioters, and will apprehend the guilty individuals, and punish them with the utmost rigor of the law.

## ARTICLE XX.

Re-exportation of merchandise.

Citizens of the United States who may have imported merchandise into any of the free ports of China, and paid the duty thereon, if they desire to re-export the same, in part or in whole, to any other of the said ports, shall be entitled to make application, through their Consul, to the superintendent of customs, who, in order to prevent frauds on the revenue, shall cause examination to be made by suitable officers to see that the duties paid on such goods, as entered on the custom-house books, correspond with the representation made, and that the goods remain with their original marks unchanged, and shall then make a memorandum in the port-clearance of the goods, and the amount of duties paid on the same, and deliver the same to the merchant; and

shall also certify the facts to the officers of customs of the other ports. All which being done, on the arrival in port of the vessel in which the goods are laden, and everything being found on examination there to correspond, she shall be permitted to break bulk and land the said goods, without being subject to the payment of any additional duty thereon. But if on such examination the superintendent of customs shall detect any fraud on the revenue in the case, then the goods shall be subject to forfeiture and confiscation to the Chinese Government.

## ARTICLE XXI.

Subjects of China who may be guilty of any criminal act toward citizens of the United States shall be arrested and punished by the Chinese authorities according to the laws of China; and citizens of the United States who may commit any crime in China shall be subject to be tried and punished only by the Consul, or other public functionary of the United States, thereto authorized, according to the laws of the United States. And in order to the prevention of all controversy and disaffection, justice shall be equitably and impartially administered on both sides.

Punishment for crime.

## ARTICLE XXII.

Relations of peace and amity between the United States and China being established by this treaty, and the vessels of the United States being admitted to trade freely to and from the five ports of China open to foreign commerce, it is further agreed that in case, at any time hereafter, China should be at war with any foreign nation whatever, and for that cause should exclude such nation from entering her ports, still the vessels of the United States shall not the less continue to pursue their commerce in freedom and security, and to transport goods to and from the ports of the belligerent parties, full respect being paid to the neutrality of the flag of the United States: Provided that the said flag shall not protect vessels engaged in the transportation of officers or soldiers in the enemy's service; nor shall said flag be fraudulently used to enable the enemy's ships with their cargoes to enter the ports of China; but all such vessels so offending shall be subject to forfeiture and confiscation to the Chinese Government.

In case of war between China and other powers.

## ARTICLE XXIII.

The Consuls of the United States, at each of the five ports open to foreign trade, shall make annually to the respective Governors-General thereof a detailed report of the number of vessels belonging to the United States which have entered and left said ports during the year, and of the amount and value of goods imported or exported in said vessels, for transmission to and inspection of the board of revenue.

Consular reports.

## ARTICLE XXIV.

If citizens of the United States have special occasion to address any communication to the Chinese local officers of Government, they shall submit the same to their Consul, or other officer, to determine if the language be proper and respectful, and the matter just and right; in which event he shall transmit the same to the appropriate authorities for their consideration and action in the premises. In like manner, if subjects of China have special occasion to address the Consul of the United States, they shall submit the communication to the local authorities of their own Government, to determine if the language be respectful and proper, and the matter just and right; in which case the said authorities will transmit the same to the Consul, or other officer, for his consideration and action in the premises. And if controversies arise between

Official communications.

Controversies between citizens of United States and subjects of China.

citizens of the United States and subjects of China, which cannot be amicably settled otherwise, the same shall be examined and decided conformably to justice and equity by the public officers of the two nations acting in conjunction.

#### ARTICLE XXV.

Regulation of other questions and controversies.

All questions in regard to rights, whether of property or person, arising between citizens of the United States in China, shall be subject to the jurisdiction, and regulated by the authorities of their own Government. And all controversies occurring in China between citizens of the United States and the subjects of any other Government shall be regulated by the treaties existing between the United States and such Governments, respectively, without interference on the part of China.

#### ARTICLE XXVI.

Merchant vessels of United States in the five ports.

Merchant vessels of the United States lying in the waters of the five ports of China open to foreign commerce will be under the jurisdiction of the officers of their own Government; who, with the masters and owners thereof, will manage the same without control on the part of China. For injuries done to the citizens or the commerce of the United States by any foreign power, the Chinese Government will not hold itself bound to make reparation. But if the merchant vessels of the United States, while within the waters over which the Chinese Government exercises jurisdiction, be plundered by robbers or pirates, then the Chinese local authorities, civil and military, on receiving information thereof, will arrest the said robbers or pirates, and punish them according to law, and will cause all the property which can be recovered, to be placed in the hands of the nearest Consul, or other officer of the United States, to be by him restored to the true owner. But if, by reason of the extent of territory and numerous population of China, it should, in any case, happen that the robbers cannot be apprehended, or the property only in part recovered, then the law will take its course in regard to the local authorities, but the Chinese Government will not make indemnity for the goods lost.

Robbers, pirates, &c.

#### ARTICLE XXVII.

Shipwrecks.

If any vessel of the United States shall be wrecked or stranded on the coast of China, and be subjected to plunder or other damage, the proper officers of Government, on receiving information of the fact, will immediately adopt measures for their relief and security; and the persons on board shall receive friendly treatment, and be enabled at once to repair to the most convenient of the free ports, and shall enjoy all facilities for obtaining supplies of provisions and water. And if a vessel shall be forced, in whatever way, to take refuge in any port other than one of the free ports, then in like manner the persons on board shall receive friendly treatment, and the means of safety and security.

Vessels forced into any other than one of the five ports.

#### ARTICLE XXVIII.

No embargo or detention.

Citizens of the United States, their vessels and property, shall not be subject to any embargo; nor shall they be seized or forcibly detained for any pretence of the public service; but they shall be suffered to prosecute their commerce in quiet, and without molestation or embarrassment.

#### ARTICLE XXIX.

Mutineers and deserters.

The local authorities of the Chinese Government will cause to be apprehended all mutineers or deserters from on board the vessels of the United States in China, and will deliver them up to the Consuls or other

officers for punishment. And if criminals, subjects of China, take refuge in the houses or on board the vessels of citizens of the United States, they shall not be harbored or concealed, but shall be delivered up to justice, on due requisition by the Chinese local officers addressed to those of the United States.

Chinese criminals.

The merchants, seamen, and other citizens of the United States shall be under the superintendence of the appropriate officers of their Government. If individuals of either nation commit acts of violence and disorder, use arms to the injury of others, or create disturbances endangering life, the officers of the two Governments will exert themselves to enforce order, and to maintain the public peace, by doing impartial justice in the premises.

Merchants, &c., of United States.

#### ARTICLE XXX.

The superior authorities of the United States and of China in corresponding together shall do so in terms of equality and in the form of mutual communication, (*chau-hwui.*) The Consuls and the local officers, civil and military, in corresponding together shall likewise employ the style and form of mutual communication, (*chau-hwui.*) When inferior officers of the one Government address superior officers of the other, they shall do so in the style and form of memorial, (*chin-chin.*) Private individuals in addressing superior officers shall employ the style of petition, (*pin-ching.*) In no case shall any terms or style be suffered which shall be offensive or disrespectful to either party. And it is agreed that no presents, under any pretext or form whatever, shall ever be demanded of the United States by China, or of China by the United States.

Correspondence between the two Governments.

Presents not to be demanded.

#### ARTICLE XXXI.

Communications from the Government of the United States to the Court of China shall be transmitted through the medium of the Imperial Commissioner charged with the superintendence of the concerns of foreign nations with China, or through the Governor-General of the Liang Kwang, that of Min and Cheh, or that of the Liang Kiang.

Transmission of communications.

#### ARTICLE XXXII.

Whenever ships of war of the United States in cruising for the protection of the commerce of their country shall arrive at any of the ports of China, the commanders of said ships and the superior local authorities of Government shall hold intercourse together in terms of equality and courtesy in token of the friendly relations of their respective nations. And the said ships of war shall enjoy all suitable facilities on the part of the Chinese Government in the purchase of provisions, procuring water, and making repairs if occasion require.

Intercourse with ships of war.

#### ARTICLE XXXIII.

Citizens of the United States who shall attempt to trade clandestinely with such of the ports of China as are not open to foreign commerce, or who shall trade in opium or any other contraband article of merchandise, shall be subject to be dealt with by the Chinese Government without being entitled to any countenance or protection from that of the United States; and the United States will take measures to prevent their flag from being abused by the subjects of other nations as a cover for the violation of the laws of the Empire.

Clandestine trade.

#### ARTICLE XXXIV.

When the present convention shall have been definitely concluded, it shall be obligatory on both powers, and its provisions shall not be

Future treaties.



altered without grave cause; but inasmuch as the circumstances of the several ports of China open to foreign commerce are different, experience may show that inconsiderable modifications are requisite in those parts which relate to commerce and navigation; in which case the two Governments will, at the expiration of twelve years from the date of said convention, treat amicably concerning the same, by the means of suitable persons appointed to conduct such negotiation.

**Observance of this treaty.** And when ratified this treaty shall be faithfully observed in all its parts by the United States and China and by every citizen and subject of each. And no individual State of the United States can appoint or send a minister to China to call in question the provisions of the same.

**Ratification.** The present treaty of peace, amity, and commerce, shall be ratified and approved by the President of the United States, by and with the advice and consent of the Senate thereof, and by the August Sovereign of the Ta Tsing Empire, and the ratifications shall be exchanged within eighteen months from the date of the signature thereof, or sooner if possible.

**Signatures.** In faith whereof we, the respective Plenipotentiaries of the United States of America and of the Ta Tsing Empire as aforesaid, have signed and sealed these presents.

**Date.** Done at Wang Hiya, this third day of July, in the year of our Lord Jesus Christ one thousand eight hundred and forty-four, and of Taouk-wang the twenty-fourth year, fifth month, and eighteenth day.

TSIYENG, (*in Manchu*) [L. S.]  
C. CUSHING. [L. S.]

**Tariff of duties.** *The tariff of duties to be levied on imported and exported merchandise at the five ports.*

The duties which it is agreed shall be paid upon goods imported and exported by the United States, at the custom-houses of Canton, Amoy, Fuchow, Ningpo, and Shanghai, are as follows, the articles being arranged in classes, viz:

**Exports.**

**EXPORTS.**

**Class 1.**

**CLASS 1.—Alum, oils, &c.**

	*T.	M.	C.
Alum, i. e., white alum, formerly white alum and bluestone, per 100 catties..	0	1	0
Anise-seed oil, not formerly contained in the tariff, per 100 catties.....	5	0	0
Cassia oil, not formerly contained in the tariff, per 100 catties.....	5	0	0

**Class 2.**

**CLASS 2.—Tea, spices, &c.**

Tea, formerly divided into fine and native black, and fine and native green teas, per 100 catties.....	2	5	0
Anise-seed star, per 100 catties.....	0	5	0
Musk, each catty.....	0	5	0

**Class 3.**

**CLASS 3.—Drugs.**

Capoor cutchery, per 100 catties.....	0	3	0
Camphor, per 100 catties.....	1	5	0
Arsenic, under different Chinese names, per 100 catties.....	0	7	5
Cassia, per 100 catties.....	0	7	5
Cassia buds, not formerly contained in the tariff, per 100 catties.....	1	0	0
China root, per 100 catties.....	0	2	0
Cubebs, not formerly in tariff, per 100 catties.....	1	5	0
Galingal, per 100 catties.....	0	1	0
Hartall, per 100 catties.....	0	5	0
Rhubarb, per 100 catties.....	1	0	0
Turmeric, per 100 catties.....	0	2	0

\* Tails, mace, and cardamoms.

CLASS 4.—*Sundries.*

Class 4.

	T.	M.	C.
Bangles, not formerly in the tariff, per 100 catties.....	0	5	0
Bamboo screens and bamboo ware, per 100 catties.....	0	2	0
Corals, native or false corals, not formerly in the tariff, per 100 catties.....	0	5	0
Crackers, and fire-works formerly classed as rockets, per 100 catties.....	0	7	5
Fans, (feather fans, &c.,) not formerly in the tariff, per 100 catties.....	1	0	0
Glass, glass ware of all kinds, formerly classed as native crystal ware, per 100 catties.....	0	5	0
Glass beads, or false pearls, per 100 catties.....	0	5	0
Kittisols, or paper umbrellas, per 100 catties.....	0	5	0
Marble, marble slabs, not formerly in the tariff, per 100 catties.....	0	2	0
Rice-paper pictures, per 100 catties.....	0	1	0
Paper fans, per 100 catties.....	0	5	0
Pearls, (false,) not formerly in the tariff, per 100 catties.....	0	5	0

CLASS 5.—*Painters' stores, &c.*

Class 5.

Brass leaf, per 100 catties.....	1	5	0
Gamboge, per 100 catties.....	2	0	0
Red lead, per 100 catties.....	0	5	0
Glue, as fish glue, cowhide glue, &c., per 100 catties.....	0	5	0
Paper, stationery, per 100 catties.....	0	5	0
Tin foil, per 100 catties.....	0	5	0
Vermilion, per 100 catties.....	3	0	0
Paintings, (large paintings,) formerly divided into large and small paintings, each.....	0	1	0
White lead, per 100 catties.....	0	2	5

CLASS 6.—*Wares of various kinds.*

Class 6.

Bone and horn ware, per 100 catties.....	1	0	0
China ware, fine and coarse, formerly classed as fine, native, coarse, and middling, per 100 catties.....	0	5	0
Copper ware and pewter ware, per 100 catties.....	0	5	0
Manufactures of wood, furniture, &c., per 100 catties.....	0	2	0
Ivory ware, all carved ivory work included, formerly divided into ivory and ivory carvings, per 100 catties.....	5	0	0
Lacquered ware, per 100 catties.....	1	0	0
Mother-of-pearl ware, per 100 catties.....	1	0	0
Rattan ware, rattan and bamboo work, per 100 catties.....	0	2	0
Sandal-wood ware, per 100 catties.....	1	0	0
Gold and silver ware, formerly divided into gold ware and silver ware, per 100 catties.....	10	0	0
Tortoise-shell ware, per 100 catties.....	10	0	0
Leather trunks and boxes, per 100 catties.....	0	2	0

CLASS 7.—*Canes, &c.*

Class 7.

Canes, or walking sticks of all kinds, per 1,000 pieces.....	0	5	0
--	---	---	---

CLASS 8.—*Articles of clothing.*

Class 8.

Wearing apparel, whether of cotton, woollen, or silk, formerly divided into cotton clothing, woollen clothing, silk and satin clothing, and velvet, per 100 catties.....	0	5	0
Boots and shoes, whether of leather, satin, or otherwise, per 100 catties....	0	2	0

CLASS 9.—*Fabrics of hemp, &c.*

Class 9.

Grass-cloth, and all cloths of hemp or linen, per 100 catties.....	1	0	0
Nankeen, and all cloths of cotton, formerly not in the tariff, per 100 catties..	1	0	0

CLASS 10.—*Silk, fabrics of silk, &c.*

Class 10

Raw silk of any province, per 100 catties.....	10	0	0
Coarse or refuse silk, per 100 catties.....	2	0	0
Organzine of all kinds, per 100 catties.....	10	0	0
Silk ribbon and thread, per 100 catties.....	10	0	0
Silk and satin fabrics of all kinds, as crape, lutestring, &c., &c., formerly classed as silks and satins, per 100 catties.....	12	0	0

	T.	M.	C.
Silk and cotton mixed fabrics, per 100 catties.....	3	0	0
Heretofore a further-charge per piece has been levied; the whole duty is now to be paid in one sum, and the further charge is abolished.			
Class 11.	CLASS 11.— <i>Carpeting, matting, &amp;c.</i>		
Mats of all kinds, as of straw, rattan, bamboo, &c., per 100 catties.....	0	2	0
Class 12.	CLASS 12.— <i>Preserves, &amp;c.</i>		
Preserved ginger and fruits of all kinds, per 100 catties.....	0	5	0
Soy, per 100 catties.....	0	4	0
Sugar, white and brown, per 100 catties.....	0	2	5
Sugar candy, all kinds, per 100 catties.....	0	3	5
Tobacco, prepared and unprepared, &c., of all kinds, per 100 catties.....	0	2	0
Class 13.	CLASS 13.— <i>Unenumerated articles.</i>		
All articles which it has not been practicable to enumerate herein specifically are to be charged a duty of five per cent. ad valorem.			
Class 14.	CLASS 14.		
Gold and silver coin, and gold and silver, duty free.			
Class 15.	CLASS 15.		
Bricks, tiles, and building materials, duty free.			
Imports.	IMPORTS.		
Class 1.	CLASS 1.— <i>Wax, saltpetre, &amp;c.</i>		
Wax, foreign, as beeswax, also called tile wax, per 100 catties.....	1	0	0
Oil-of-rose mallows, per 100 catties.....	1	0	0
Saltpetre, foreign, per 100 catties.....	0	3	0
This article is only allowed to be sold to the Government merchants; formerly this regulation did not exist.			
Soaps, foreign, as perfumed soap, per 100 catties.....	0	5	0
Class 2.	CLASS 2.— <i>Spices and perfumes.</i>		
Gum benzoin and oil of benzoin, per 100 catties.....	1	0	0
Sandal wood, per 100 catties.....	0	5	0
Pepper, black, per 100 catties.....	0	4	0
All other articles of this class not specifically mentioned herein, to pay a duty of ten per cent. ad valorem.			
Perfumery, five per cent. ad valorem.			
Class 3.	CLASS 3.— <i>Drugs.</i>		
Asafoetida, per 100 catties.....	1	0	0
Camphor, superior quality, i. e., pure, formerly classed as good and inferior, per catty.....	1	0	0
Camphor, inferior quality or refuse, formerly uncleaned camphor, per catty..	0	5	0
Cloves, superior quality, picked, per 100 catties.....	1	5	0
Cloves, inferior quality, (mother cloves,) per 100 catties.....	0	5	0
Cow bezcar, per catty.....	1	0	0
Cutch, per 100 catties.....	0	3	0
Gambier, per 100 catties.....	0	1	5
Areca nut, per 100 catties.....	0	1	5
Ginseng, foreign, superior quality, &c., per 100 catties.....	38	0	0
Ginseng, inferior quality, &c., per 100 catties.....	3	5	0
Of every hundred catties of foreign ginseng of whatever sort, one-fifth part is to be considered as of superior quality, and four-fifths of inferior.			
Gum olibanum, per 100 catties.....	0	5	0
Myrrh, per 100 catties.....	0	5	0
Mace, or flower of nutmeg, per 100 catties.....	1	0	0
Quicksilver, per 100 catties.....	3	0	0
Nutmegs, first quality, per 100 catties.....	2	0	0
Nutmegs, second quality, or coarse, per 100 catties.....	1	0	0
Putchuk, per 100 catties.....	0	7	5
Rhinoceros horns, per 100 catties.....	3	0	0

CLASS 4.—*Sundries.*

Class 4.

	* T.	M.	C.
Flints, per 100 catties .....	0	0	5
Mother of pearl shells, per 100 catties .....	0	2	0

CLASS 5.—*Dried meats, &c.*

Class 5.

Birds' nests, first quality mandarin, per 100 catties .....	5	0	0
Birds' nests, second quality ordinary, per 100 catties .....	2	5	0
Birds' nests, third quality with feathers, per 100 catties .....	0	5	0
Bicho de mar, first quality black, per 100 catties .....	0	8	0
Bicho de mar, second quality, white, per 100 catties .....	0	2	0
Sharks' fins, first quality, white, per 100 catties .....	1	0	0
Sharks' fins, second quality, black, per 100 catties .....	0	5	0
Stock fish, called dried fish, per 100 catties .....	0	4	0
Fish-maws, not formerly in tariff, per 100 catties .....	1	5	0

CLASS 6.—*Painters' stores.*

Class 6.

Cochineal, per 100 catties .....	5	0	0
Smalts, per 100 catties .....	4	0	0
Sapan wood, per 100 catties .....	0	1	0

CLASS 7.—*Woods, canes, &c.*

Class 7.

Rattans, per 100 catties .....	0	2	0
Ebony, per 100 catties .....	0	1	5
All other imported wood, as red wood, satin wood, yellow wood, not specifically enumerated, to pay a duty of ten per cent. ad valorem.			

CLASS 8.—*Clocks, watches, &c.*

Class 8.

Clocks.  
Watches.  
Telescopes.  
Glass panes, and crystal ware of all kinds.  
Writing-desks.  
Dressing-cases.  
Jewelry of gold and silver.  
Cutlery, swords, &c.  
All the foregoing and any other miscellaneous articles of the same description, 5 per cent. ad valorem.

## CLASS 9.

Class 9.

Gold and silver bullion, duty free.

## CLASS 10.

Class 10.

Cotton, fabrics of cotton and canvas, from 75 to 100 chih long, and 1 chih 7 tsun to 2 chih 2 tsun wide, per piece .....	0	5	0
Cotton, allowing 5 per cent. for tare, per 100 catties .....	0	4	0
Long white cloths, 75 to 100 chih long, 2 chih 2 tsun to 2 chih 6 tsun wide, formerly divided into superior and inferior fine cotton cloth, per piece .....	0	1	5
Cambrics and mualins, from 50 to 60 chih long, and 2 chih 9 tsun to 3 chih 3 tsun wide, per piece .....	0	1	5
Cottons, grey or unbleached domestic, &c., from 75 to 100 chih long, and 2 chih to 2 chih 9 tsun wide, formerly classed as coarse long cloths, per piece .....	0	1	9
Twilled cottons, grey, same dimensions, per piece .....	0	1	0
Chintz and prints of all kinds, from 60 to 75 chih long, and from 2 chih 9 tsun to 3 chih 3 tsun wide, formerly called ornamented or flowered cloths, per piece .....	0	2	0
Cotton yarn, or cotton thread, per 100 catties .....	1	0	0
Linen, fine, not formerly in the tariff, from 50 to 75 chih long, and 1 chih 9 tsun to 2 chih 2 tsun wide, per piece .....	0	5	0
Bunting, per chang .....	0	0	1½
All other imported articles of this class, as ginghams, pulicats, dyed cottons, velveteens, silk and cotton mixtures, and mixtures of linen and cotton, &c., 5 per cent. ad valorem.			

CLASS 11.—*Fabrics of silk, woollen, &c.*

Class 11.

Handkerchiefs, large, above 2 chih 6 tsun, each .....	0	0	1½
Handkerchiefs, small, under 2 chih 6 tsun, each .....	0	0	1

\*Tael, mace, and candareens.

	* T. M. C.
Gold and silver thread, superior or real, per catty.....	0 1 3
Gold and silver thread, inferior, or imitation, per catty.....	0 0 3
Broadcloth, Spanish stripe, &c., from 3 chih 6 tsun to 4 chih 6 tsun wide, per chang.....	0 1 5
Narrow cloths, as long ells, cassimeres, &c., formerly classed as narrow woollens, per chang.....	0 0 7
Camlets, (Dutch), per chang.....	0 1 5
Camlets, per chang.....	0 0 7
Imitation camlets, or bombazettes, per chang.....	0 0 3½
Woollen yarn, per 100 catties.....	3 0 0
Blankets, each.....	0 1 0
All other fabrics of wool, or of mixed wool and cotton, wool and silk, &c., 5 per cent. ad valorem.	
<b>Class 12.</b>	<b>CLASS 12.—Wines, &amp;c.</b>
Wine and beer, in quart bottles, per 100.....	1 0 0
Wine and beer, in pint bottles, per 100.....	0 5 0
Wine and beer, in cask, per 100 catties.....	0 5 0
<b>Class 13.</b>	<b>CLASS 13.—Metals.</b>
Copper, foreign, in pigs, &c., per 100 catties.....	1 0 0
Copper, wrought, as sheets, rods, &c., per 100 catties.....	1 5 0
Iron, foreign, unmanufactured, as in pigs, per 100 catties.....	0 1 0
Iron, manufactured, as in bars, rods, &c., per 100 catties.....	0 1 5
Lead, foreign, in pigs, or manufactured, per 100 catties.....	0 2 8
Steel, foreign, of every kind, per 100 catties.....	0 4 0
Tin, foreign, per 100 catties.....	1 0 0
Tin plates, formerly not in the tariff, per 100 catties.....	0 4 0
Spelter is only permitted to be sold to government merchants.	
All unenumerated metals, as zinc, yellow copper, &c., 10 per cent. ad valorem.	
<b>Class 14.</b>	<b>CLASS 14.—Jewelry.</b>
Cornelians, per 100 stones.....	0 5 0
Cornelian beads, per 100 catties.....	10 0 0
<b>Class 15.</b>	<b>CLASS 15.—Skins, teeth, horns, &amp;c.</b>
Bullocks' and buffalo horns, per 100 catties.....	2 0 0
Cow and ox hides, tanned and untanned, per 100 catties.....	0 5 0
Sea-otter skins, each.....	1 5 0
Fox skins, large, each.....	0 1 5
Fox skins, small, each.....	0 0 7½
Tiger, leopard, and marten skins, each.....	0 1 5
Land-otter, raccoon, and sharks' skins, per 100.....	2 0 0
Beaver skins, per 100.....	5 0 0
Hare, rabbit, and ermine skins, per 100.....	0 5 0
Sea-horse teeth, per 100 catties.....	2 0 0
Elephants' teeth, first quality, whole, per 100 catties.....	4 0 0
Elephants' teeth, second quality, broken, per 100 catties.....	2 0 0
<b>Class 16.</b>	<b>CLASS 16.—Unenumerated.</b>
All new goods which it has not been practicable to enumerate herein, a duty of 5 per cent. ad valorem.	
<b>Class 17.</b>	<b>CLASS 17.</b>
Rice and other grains, duty free.	
<b>Contraband.</b> <b>Shipping dues.</b>	<b>Contraband.—Opium.</b>
	<i>Shipping dues.</i> —These have been hitherto charged on the measurement of the ship's length and breadth, at so much per <i>chang</i> , but it is now agreed to alter the system and charge according to the registered statement of the number of tons of the ship's bur- den. On each ton (reckoned equal to the cubic contents of 122 tows) a shipping charge of five mace is to be levied; and all the old charges of measurement, entrance, and port-clearance fees, daily and monthly fees, &c., are abolished.
	[L. s.]
	[L. s.]
	CUSHING. TSIYENG.

## CHINA, 1858.

TREATY OF PEACE, AMITY, AND COMMERCE BETWEEN THE UNITED STATES OF AMERICA AND THE TA TSING EMPIRE, CONCLUDED AT TIEN-TSIN JUNE 18, 1858; RATIFICATION ADVISED BY SENATE DECEMBER 15, 1858; RATIFIED BY PRESIDENT DECEMBER 21, 1858; RATIFICATIONS EXCHANGED AT PEI-TSANG AUGUST 16, 1859; EXCHANGE OF RATIFICATIONS CONSENTED TO BY SENATE JANUARY 24, 1860; PROCLAIMED JANUARY 26, 1860.

June 18, 1858.

The United States of America and the Ta Tsing Empire, desiring to maintain firm, lasting, and sincere friendship, have resolved to renew, in a manner clear and positive, by means of a treaty or general convention of peace, amity, and commerce, the rules which shall in future be mutually observed in the intercourse of their respective countries; for which most desirable object the President of the United States and the August Sovereign of the Ta Tsing Empire have named for their Plenipotentiaries, to wit:

Contracting parties.

The President of the United States of America, William B. Reed, Envoy Extraordinary and Minister Plenipotentiary to China; and His Majesty the Emperor of China, Kweiliang, a member of the Privy Council and Superintendent of the Board of Punishments; and Hwashana, President of the Board of Civil Office, and Major General of the Bordered Blue Banner Division of the Chinese Banner-men, both of them being Imperial Commissioners and Plenipotentiaries;

Negotiators.

And the said Ministers, in virtue of the respective full powers they have received from their Governments, have agreed upon the following articles:

## ARTICLE I.

There shall be, as there have always been, peace and friendship between the United States of America and the Ta Tsing Empire, and between their people, respectively. They shall not insult or oppress each other for any trifling cause, so as to produce an estrangement between them; and if any other nation should act unjustly or oppressively, the United States will exert their good offices, on being informed of the case, to bring about an amicable arrangement of the question, thus showing their friendly feelings.

Peace and friendship.

## ARTICLE II.

In order to perpetuate friendship, on the exchange of ratifications by the President, with the advice and consent of the Senate of the United States, and by His Majesty the Emperor of China, this treaty shall be kept and sacredly guarded in this way, viz: The original treaty, as ratified by the President of the United States, shall be deposited at Peking, the capital of His Majesty the Emperor of China, in charge of the Privy Council; and, as ratified by His Majesty the Emperor of China, shall be deposited at Washington, the capital of the United States, in charge of the Secretary of State.

Custody of original treaty.

## ARTICLE III.

In order that the people of the two countries may know and obey the provisions of this treaty, the United States of America agree, immediately on the exchange of ratifications, to proclaim the same, and to publish it by proclamation in the gazettes where the laws of the United States of America are published by authority; and His Majesty the Emperor of China, on the exchange of ratifications, agrees immediately to direct the publication of the same at the capital and by the governors of all the provinces.

Publication of treaty.

## ARTICLE IV.

**United States Minister in China.** In order further to perpetuate friendship, the Minister or Commissioner, or the highest diplomatic representative of the United States of America in China, shall at all times have the right to correspond on terms of perfect equality and confidence with the officers of the Privy Council at the capital, or with the Governors-General of the Two Kwangs, the provinces of Fuhkien and Chehkiang or of the Two Kiangs; and whenever he desires to have such correspondence with the Privy Council at the capital he shall have the right to send it through either of the said Governors-General or by the general post; and all such communications shall be sent under seal, which shall be most carefully respected. The Privy Council and Governors-General, as the case may be, shall in all cases consider and acknowledge such communications promptly and respectfully.

## ARTICLE V.

**Visits to the capital.** The Minister of the United States of America in China, whenever he has business, shall have the right to visit and sojourn at the capital of His Majesty the Emperor of China, and there confer with a member of the Privy Council, or any other high officer of equal rank deputed for that purpose, on matters of common interest and advantage. His visits shall not exceed one in each year, and he shall complete his business without unnecessary delay. He shall be allowed to go by land or come to the mouth of the Peiho, into which he shall not bring ships of war, and he shall inform the authorities at that place in order that boats may be provided for him to go on his journey. He is not to take advantage of this stipulation to request visits to the capital on trivial occasions. Whenever he means to proceed to the capital, he shall communicate, in writing, his intention to the Board of Rites at the capital, and thereupon the said Board shall give the necessary directions to facilitate his journey and give him necessary protection and respect on his way. On his arrival at the capital he shall be furnished with a suitable residence prepared for him, and he shall defray his own expenses; and his entire suite shall not exceed twenty persons, exclusive of his Chinese attendants, none of whom shall be engaged in trade.

**Residence and suite.**

## ARTICLE VI.

**Residence at capital.** If at any time His Majesty the Emperor of China shall, by treaty voluntarily made, or for any other reason, permit the representative of any friendly nation to reside at his capital for a long or short time, then, without any further consultation or express permission, the representative of the United States in China shall have the same privilege.

## ARTICLE VII.

**Official correspondence.** The superior authorities of the United States and of China, in corresponding together, shall do so on terms of equality and in form of mutual communication, (*chau-hwui.*) The Consuls and the local officers, civil and military, in corresponding together, shall likewise employ the style and form of mutual communication, (*chau-hwui.*) When inferior officers of the one Government address superior officers of the other, they shall do so in the style and form of memorial, (*chin-chin.*) Private individuals, in addressing superior officers, shall employ the style of petition, (*pinching.*) In no case shall any terms or style be used or suffered which shall be offensive or disrespectful to either party. And it is agreed that no presents, under any pretext or form whatever, shall ever be demanded of the United States by China, or of China by the United States.

**Presents not to be demanded.**

## ARTICLE VIII.

In all future personal intercourse between the representative of the United States of America and the Governors-General or Governors, the interviews shall be had at the official residence of the said officers, or at their temporary residence, or at the residence of the representative of the United States of America, whichever may be agreed upon between them; nor shall they make any pretext for declining these interviews. Current matters shall be discussed by correspondence, so as not to give the trouble of a personal meeting.

Personal inter-views.

## ARTICLE IX.

Whenever national vessels of the United States of America, in cruising along the coast and among the ports opened for trade for the protection of the commerce of their country or for the advancement of science, shall arrive at or near any of the ports of China, commanders of said ships and the superior local authorities of Government shall, if it be necessary, hold intercourse on terms of equality and courtesy, in token of the friendly relations of their respective nations; and the said vessels shall enjoy all suitable facilities on the part of the Chinese Government in procuring provisions or other supplies and making necessary repairs. And the United States of America agree that in case of the shipwreck of any American vessel, and its being pillaged by pirates, or in case any American vessel shall be pillaged or captured by pirates on the seas adjacent to the coast, without being shipwrecked, the national vessels of the United States shall pursue the said pirates, and if captured deliver them over for trial and punishment.

United States vessels in Chinese waters.

Pirates, &c.

## ARTICLE X.

The United States of America shall have the right to appoint Consuls and other Commercial Agents for the protection of trade, to reside at such places in the dominions of China as shall be agreed to be opened; who shall hold official intercourse and correspondence with the local officers of the Chinese Government, (a Consul or a Vice-Consul in charge taking rank with an intendant of circuit or a prefect,) either personally or in writing, as occasions may require, on terms of equality and reciprocal respect. And the Consuls and local officers shall employ the style of mutual communication. If the officers of either nation are disrespectfully treated or aggrieved in any way by the other authorities, they have the right to make representation of the same to the superior officers of the respective Governments, who shall see that full inquiry and strict justice shall be had in the premises. And the said Consuls and Agents shall carefully avoid all acts of offence to the officers and people of China. On the arrival of a Consul duly accredited at any port in China, it shall be the duty of the Minister of the United States to notify the same to the Governor-General of the province where such port is, who shall forthwith recognize the said Consul and grant him authority to act.

Consular officers.

## ARTICLE XI.

All citizens of the United States of America in China, peaceably attending to their affairs, being placed on a common footing of amity and good will with the subjects of China, shall receive and enjoy for themselves and everything appertaining to them, the protection of the local authorities of Government, who shall defend them from all insult or injury of any sort. If their dwellings or property be threatened or attacked by mobs, incendiaries, or other violent or lawless persons, the local officers, on requisition of the Consul, shall immediately dispatch a military force to disperse the rioters, apprehend the guilty individuals,

United States citizens in China.



Criminal acts.

and punish them with the utmost rigor of the law. Subjects of China guilty of any criminal act toward citizens of the United States shall be punished by the Chinese authorities according to the laws of China; and citizens of the United States, either on shore or in any merchant vessel, who may insult, trouble, or wound the persons or injure the property of Chinese, or commit any other improper act in China, shall be punished only by the Consul or other public functionary thereto authorized, according to the laws of the United States. Arrests in order to trial may be made by either the Chinese or the United States authorities.

## ARTICLE XII.

Citizens of  
United States at  
open ports.

Citizens of the United States, residing or sojourning at any of the ports open to foreign commerce, shall be permitted to rent houses and places of business, or hire sites on which they can themselves build houses or hospitals, churches, and cemeteries. The parties interested can fix the rent by mutual and equitable agreement; the proprietors shall not demand an exorbitant price, nor shall the local authorities interfere, unless there be some objections offered on the part of the inhabitants respecting the place. The legal fees to the officers for applying their seal shall be paid. The citizens of the United States shall not unreasonably insist on particular spots, but each party shall conduct with justice and moderation. Any desecration of the cemeteries by natives of China shall be severely punished according to law. At the places where the ships of the United States anchor, or their citizens reside, the merchants, seamen, or others, can freely pass and repass in the immediate neighborhood; but, in order to the preservation of the public peace, they shall not go into the country to the villages and marts to sell their goods unlawfully, in fraud of the revenue.

## ARTICLE XIII.

Wrecks.

If any vessel of the United States be wrecked or stranded on the coast of China, and be subjected to plunder or other damage, the proper officers of Government, on receiving information of the fact, shall immediately adopt measures for its relief and security; the persons on board shall receive friendly treatment, and be enabled to repair at once to the nearest port, and shall enjoy all facilities for obtaining supplies of provisions and water. If the merchant vessels of the United States, while within the waters over which the Chinese Government exercises jurisdiction, be plundered by robbers or pirates, then the Chinese local authorities, civil and military, on receiving information thereof, shall arrest the said robbers or pirates, and punish them according to law, and shall cause all the property which can be recovered to be restored to the owners or placed in the hands of the consul. If, by reason of the extent of territory and numerous population of China, it shall in any case happen that the robbers cannot be apprehended, and the property only in part recovered, the Chinese Government shall not make indemnity for the goods lost; but if it shall be proved that the local authorities have been in collusion with the robbers, the same shall be communicated to the superior authorities for memorializing the throne, and these officers shall be severely punished, and their property be confiscated to repay the losses.

Pirates.

## ARTICLE XIV.

Open ports.

The citizens of the United States are permitted to frequent the ports and cities of Canton and Chau-chau or Swatau, in the province of Kwang-tung, Amoy, Fuh-chau, and Tai-wan, in Formosa, in the province of Fuh-kien, Ningpo, in the province of Cheh-kiang, and Shanghai, in the province of Kiang-su, and any other port or place hereafter by

treaty with other powers or with the United States opened to commerce, and to reside with their families and trade there, and to proceed at pleasure with their vessels and merchandise from any of these ports to any other of them. But said vessels shall not carry on a clandestine and fraudulent trade at other ports of China not declared to be legal, or along the coasts thereof; and any vessel under the American flag violating this provision, shall, with her cargo, be subject to confiscation to the Chinese Government; and any citizen of the United States who shall trade in any contraband article of merchandise shall be subject to be dealt with by the Chinese Government, without being entitled to any countenance or protection from that of the United States; and the United States will take measures to prevent their flag from being abused by the subjects of other nations as a cover for the violation of the laws of the empire.

## ARTICLE XV.

At each of the ports open to commerce citizens of the United States shall be permitted to import from abroad, and sell, purchase, and export all merchandise of which the importation or exportation is not prohibited by the laws of the empire. The tariff of duties to be paid by citizens of the United States, on the export and import of goods from and into China, shall be the same as was agreed upon at the treaty of Wanghia, except so far as it may be modified by treaties with other nations; it being expressly agreed that citizens of the United States shall never pay higher duties than those paid by the most favored nation.

Commerce at open ports.

Tariff of duties.  
[See treaty of 1844, pp. 124-128.]

[See Supplemental Convention, pp. 137-146.]

## ARTICLE XVI.

Tonnage duties shall be paid on every merchant vessel belonging to the United States entering either of the open ports, at the rate of four mace per ton of forty cubic feet, if she be over one hundred and fifty tons burden, and one mace per ton of forty cubic feet, if she be of the burden of one hundred and fifty tons or under, according to the tonnage specified in the register, which, with her other papers, shall, on her arrival, be lodged with the Consul, who shall report the same to the commissioner of customs. And if any vessel, having paid tonnage duty at one port, shall go to any other port to complete the disposal of her cargo, or, being in ballast, to purchase an entire or fill up an incomplete cargo, the Consul shall report the same to the commissioner of customs, who shall note on the port clearance that the tonnage duties have been paid, and report the circumstances to the collectors at the other custom-houses; in which case, the said vessel shall only pay duty on her cargo, and not be charged with tonnage duty a second time. The collectors of customs at the open ports shall consult with the Consuls about the erection of beacons or light-houses, and where buoys and light-ships should be placed.

Tonnage duties.

Ships' papers.

Beacons, light-houses, &c.

## ARTICLE XVII.

Citizens of the United States shall be allowed to engage pilots to take their vessels into port, and, when the lawful duties have all been paid, take them out of port. It shall be lawful for them to hire at pleasure servants, compradores, linguists, writers, laborers, seamen, and persons for whatever necessary service, with passage or cargo boats, for a reasonable compensation, to be agreed upon by the parties or determined by the Consul.

Pilots, servants, &c.

## ARTICLE XVIII.

Whenever merchant vessels of the United States shall enter a port, the collector of customs shall, if he see fit, appoint custom-house officers to guard said vessels, who may live on board the ship or their own boats, at

Merchant vessels' in port.

Mutineers and deserters. Chinese criminals. Merchants, &c., of United States.

their convenience. The local authorities of the Chinese Government shall cause to be apprehended all mutineers or deserters from on board the vessels of the United States in China on being informed by the Consul, and will deliver them up to the Consuls or other officer for punishment. And if criminals, subjects of China, take refuge in the houses or on board the vessels of citizens of the United States, they shall not be harbored or concealed, but shall be delivered up to justice on due requisition by the Chinese local officers, addressed to those of the United States. The merchants, seamen, and other citizens of the United States shall be under the superintendence of the appropriate officers of their Government. If individuals of either nation commit acts of violence or disorder, use arms to the injury of others, or create disturbances endangering life, the officers of the two Governments will exert themselves to enforce order and to maintain the public peace, by doing impartial justice in the premises.

## ARTICLE XIX.\*

Papers of merchant vessels. Permit for discharge. Tonnage duties.

Whenever a merchant vessel belonging to the United States shall cast anchor in either of the said ports, the supercargo, master, or consignee, shall, within forty-eight hours, deposit the ship's papers in the hands of the Consul or person charged with his functions, who shall cause to be communicated to the superintendent of customs a true report of the name and tonnage of such vessel, the number of her crew, and the nature of her cargo; which being done, he shall give a permit for her discharge. And the master, supercargo, or consignee, if he proceed to discharge the cargo without such permit, shall incur a fine of five hundred dollars, and the goods so discharged without permit shall be subject to forfeiture to the Chinese Government. But if a master of any vessel in port desire to discharge a part only of the cargo, it shall be lawful for him to do so, paying duty on such part only, and to proceed with the remainder to any other ports. Or, if the master so desire, he may, within forty-eight hours after the arrival of the vessel, but not later, decide to depart without breaking bulk; in which case he shall not be subject to pay tonnage or other duties or charges until, on his arrival at another port, he shall proceed to discharge cargo, when he shall pay the duties on vessel and cargo, according to law. And the tonnage duties shall be held due after the expiration of the said forty-eight hours. In case of the absence of the Consul or person charged with his functions, the captain or supercargo of the vessel may have recourse to the Consul of a friendly power, or, if he please, directly to the superintendent of customs, who shall do all that is required to conduct the ship's business.

## ARTICLE XX.

Superintendent of customs. Disputes.

The superintendent of customs, in order to the collection of the proper duties, shall, on application made to him through the Consul, appoint suitable officers, who shall proceed, in the presence of the captain, supercargo, or consignee, to make a just and fair examination of all goods in the act of being discharged for importation or laden for exportation on board any merchant vessel of the United States. And if disputes occur in regard to the value of goods subject to ad valorem duty, or in regard to the amount of tare, and the same cannot be satisfactorily arranged by the parties, the question may, within twenty-four hours, and not afterwards, be referred to the said Consul to adjust with the superintendent of customs.

## ARTICLE XXI.\*

Reexportation of goods.

Citizens of the United States who may have imported merchandise into any of the free ports of China, and paid the duty thereon, if they desire to reexport the same in part or in whole to any other of the said

\* See note, p. 137.

ports, shall be entitled to make application, through their consul, to the superintendent of customs, who, in order to prevent fraud on the revenue, shall cause examination to be made, by suitable officers, to see that the duties paid on such goods as are entered on the custom-house books correspond with the representation made, and that the goods remain with their original marks unchanged, and shall then make a memorandum in the port clearance of the goods and the amount of duties paid on the same, and deliver the same to the merchant, and shall also certify the facts to the officers of customs of the other ports; all which being done on the arrival in port of the vessel in which the goods are laden, and everything being found, on examination there, to correspond, she shall be permitted to break bulk and land the said goods without being subject to the payment of any additional duty thereon. But if, on such examination, the superintendent of customs shall detect any fraud on the revenue in the case, then the goods shall be subject to forfeiture and confiscation to the Chinese Government. Foreign grain or rice brought into any port of China in a ship of the United States, and not landed, may be reexported without hindrance.

#### ARTICLE XXII.

The tonnage duty on vessels of the United States shall be paid on their being admitted to entry. Duties of import shall be paid on the discharge of the goods, and duties of export on the landing of the same. When all such duties shall have been paid, and not before, the collector of customs shall give a port clearance, and the consul shall return the ship's papers. The duties shall be paid to the shroffs authorized by the Chinese Government to receive the same. Duties shall be paid and received, either in sycee silver or in foreign money, at the rate of the day. If the Consul permits a ship to leave the port before the duties and tonnage dues are paid he shall be held responsible therefor.

Payment of duties.

#### ARTICLE XXIII.

When goods on board any merchant vessel of the United States in port require to be transhipped to another vessel, application shall be made to the consul, who shall certify what is the occasion therefor to the superintendent of customs, who may appoint officers to examine into the facts and permit the transhipment. And if any goods be transhipped without written permits they shall be subject to be forfeited to the Chinese Government.

Transhipment of goods.

#### ARTICLE XXIV.

Where there are debts due by subjects of China to citizens of the United States, the latter may seek redress in law; and, on suitable representations being made to the local authorities, through the Consul, they will cause due examination in the premises, and take proper steps to compel satisfaction. And if citizens of the United States be indebted to subjects of China, the latter may seek redress by representation through the Consul, or by suit in the consular court; but neither Government will hold itself responsible for such debts.

Collection of debts.

#### ARTICLE XXV.

It shall be lawful for the officers or citizens of the United States to employ scholars and people of any part of China, without distinction of persons, to teach any of the languages of the empire, and to assist in literary labors; and the persons so employed shall not for that cause be subject to any injury on the part either of the Government or of individuals; and it shall in like manner be lawful for citizens of the United States to purchase all manner of books in China.

Teachers, &c.

## ARTICLE XXVI.

In case of war between China and other powers.

Relations of peace and amity between the United States and China being established by this treaty, and the vessels of the United States being admitted to trade freely to and from the ports of China open to foreign commerce, it is further agreed that, in case at any time hereafter China should be at war with any foreign nation whatever, and should for that cause exclude such nation from entering her ports, still the vessels of the United States shall not the less continue to pursue their commerce in freedom and security, and to transport goods to and from the ports of the belligerent powers, full respect being paid to the neutrality of the flag of the United States, provided that the said flag shall not protect vessels engaged in the transportation of officers or soldiers in the enemy's service, nor shall said flag be fraudulently used to enable the enemy's ships, with their cargoes, to enter the ports of China; but all such vessels so offending shall be subject to forfeiture and confiscation to the Chinese Government.

## ARTICLE XXVII.

Controversies.

All questions in regard to rights, whether of property or person, arising between citizens of the United States in China shall be subject to the jurisdiction and regulated by the authorities of their own Government; and all controversies occurring in China between citizens of the United States and the subjects of any other Government shall be regulated by the treaties existing between the United States and such Governments, respectively, without interference on the part of China.

## ARTICLE XXVIII.

Official communications.

If citizens of the United States have special occasion to address any communication to the Chinese local officers of Government, they shall submit the same to their Consul or other officer, to determine if the language be proper and respectful, and the matter just and right, in which event he shall transmit the same to the appropriate authorities for their consideration and action in the premises. If subjects of China have occasion to address the Consul of the United States, they may address him directly at the same time they inform their own officers, representing the case for his consideration and action in the premises; and if controversies arise between citizens of the United States and subjects of China, which cannot be amicably settled otherwise, the same shall be examined and decided conformably to justice and equity by the public officers of the two nations, acting in conjunction. The extortion of illegal fees is expressly prohibited. Any peaceable persons are allowed to enter the court in order to interpret, lest injustice be done.

## ARTICLE XXIX.

Religious toleration.

The principles of the Christian religion, as professed by the Protestant and Roman Catholic churches, are recognized as teaching men to do good, and to do to others as they would have others do to them. Hereafter those who quietly profess and teach these doctrines shall not be harassed or persecuted on account of their faith. Any person, whether citizen of the United States or Chinese convert, who, according to these tenets, peaceably teach and practice the principles of Christianity, shall in no case be interfered with or molested.

[See Article IV, treaty of 1868, p. 148.]

## ARTICLE XXX.

Most favored nation clause.

The contracting parties hereby agree that should at any time the Ta Tsing Empire grant to any nation, or the merchants or citizens of any nation, any right, privilege, or favor, connected either with navigation,

commerce, political or other intercourse, which is not conferred by this treaty, such right, privilege, and favor shall at once freely inure to the benefit of the United States, its public officers, merchants and citizens.

The present treaty of peace, amity, and commerce shall be ratified by the President of the United States, by and with the advice and consent of the Senate, within one year, or sooner, if possible, and by the August Sovereign of the Ta Tsing Empire forthwith; and the ratifications shall be exchanged within one year from the date of the signatures thereof.

In faith whereof, we, the respective Plenipotentiaries of the United States of America and of the Ta Tsing Empire, as aforesaid, have signed and sealed these presents.

Done at Tien-tsin this eighteenth day of June, in the year of our Lord one thousand eight hundred and fifty-eight, and the independence of the United States of America the eighty-second, and in the eighth year of Hienfung, fifth month, and eighth day.

[L. S.]  
[L. S.]  
[L. S.]

WILLIAM B. REED.  
KWEILIANG.  
HWASHANA.

Ratifications.

Signatures.

Date.

NOTE TO ARTICLE XIX.—On the 17th July, 1867, it had been agreed between the Chinese Government and Mr. Burlingame, United States Minister at Peking, that, subject to ratification by the Government of the United States, Article XIX should be modified as hereinafter stated. The proposed modification having been submitted to the Senate, that body, by its resolution of January 20, 1868, did “advise and consent to the modification of the treaty between the United States and China, concluded at Tien-tsin, on the 18th of June, 1858, so that the nineteenth article shall be understood to include hulks and storeships of every kind under the term merchant vessels; and so that it shall provide that if the supercargo, master, or consignee shall neglect, within forty-eight hours after a vessel casts anchor in either of the ports named in the treaty, to deposit the ship’s papers in the hands of the Consul, or person charged with his functions, who shall then comply with the requisitions of the nineteenth article of the treaty in question, he shall be liable to a fine of fifty taels for each day’s delay. The total amount of penalty, however, shall not exceed two hundred taels.”

NOTE TO ARTICLE XXI.—On the 7th April, 1863, it was agreed between Mr. Burlingame, United States Minister at Peking, and the Government of China, that, subject to the ratification of the Government of the United States, the twenty-first article of the treaty of June 18, 1858, “shall be so modified as to permit duties to be paid, when goods are re-exported from any one of the free ports of China, at the port into which they are finally imported; and that drawbacks shall be substituted for exemption certificates at all the ports, which drawbacks shall be regarded as negotiable and transferable articles, and be accepted by the custom-house from whatsoever merchant who may tender them, either for import or export duty to be paid by him.”

The Senate advised and consented to this modification by resolution of February 4, 1864; and it was accepted, ratified, and confirmed by the President February 22, 1864.

CHINA, 1858.

SUPPLEMENTAL CONVENTION BETWEEN THE UNITED STATES OF AMERICA AND THE TA TSING EMPIRE, FOR THE REGULATION OF TRADE, CONCLUDED AT SHANGHAI NOVEMBER 8, 1858; RATIFICATION ADVISED BY SENATE MARCH 1, 1859; RATIFIED BY PRESIDENT MARCH 3, 1859; RATIFICATIONS EXCHANGED AT PETANG AUGUST 15, 1859.

Nov. 8, 1858.

Whereas a treaty of peace, amity, and commerce between the Ta Tsing Empire and the United States of America was concluded at Tien-tsin, and signed at the Temple of Hai-Kwang on the eighteenth day of June, in the year of our Lord one thousand eight hundred and fifty-eight, corresponding with the eighth day of the fifth moon of the eighth year of Hienfung; which said treaty was duly ratified by His Majesty the Emperor of China, on the third day of July following, and which has been now transmitted for ratification by the President of the United States, with the advice and consent of the Senate; and whereas in the said treaty it was provided, among other things, that the tariff of duties to be paid by citizens of the United States on the export and import of goods from and into China shall be the same as was agreed upon at the

Preamble.

[See Article XV, treaty of June 18, 1858, p. 133.]

treaty of Wang-hia, except so far as it may be modified by treaties with other nations, it being expressly agreed that citizens of the United States shall never pay higher duties than those paid by the most favored nations; and whereas since the signature of the said treaty material modifications of the said tariff and other matters of detail connected with and having relation to the said treaty have been made under mutual discussions by commissioners appointed to that end by the Plenipotentiaries of China, Great Britain, and France, to which the assent of the United States of America is desired and now freely given, it has been determined to record such assent and agreement in the form of a supplementary treaty, to be as binding and of the same efficacy as though they had been inserted in the original treaty.

## ARTICLE I.

**Tariff, and trade regulations.** The tariff and regulations of trade and transit hereunto attached, bearing the seals of the respective Plenipotentiaries of the United States and the Ta Tsing Empire, shall henceforward and until duly altered under the provisions of treaties be in force at the ports and places open to commerce.

**Signatures.** In faith whereof the respective Plenipotentiaries of the United States of America and of the Ta Tsing Empire, to wit, on the part of the United States, William B. Reed, Envoy Extraordinary and Minister Plenipotentiary; and on the part of the Ta Tsing Empire Kweiliang, a member of the Privy Council, Captain General of the Plain White Banner Division of the Manchu Bannermen, and Superintendent of the Board of Punishments; and Hwashana, Classical Reader at Banquets, President of the Board of Civil Office, Captain General of the Bordered Blue Banner Division of the Chinese Bannermen, both of them Plenipotentiaries; with Ho Kwei-tsing, Governor General of the two Kiang Provinces, President of the Board of War, and Guardian of the Heir-Apparent; Mingshen, President of the Ordnance Office of the Imperial Household, with the Insignia of the Second Grade; and Twan, a titular President of the Fifth Grade, member of the Establishment of the General Council, and one of the junior under Secretaries of the Board of Punishments, all of them special Imperial Commissioners deputed for the purpose, have signed and sealed these presents.

**Date.** Done at Shanghai this eighth day of November, in the year of our Lord one thousand eight hundred and fifty-eight, and the Independence of the United States of America the eighty-third, and in the eighth year of Hienfung, the tenth month and third day.

[SEAL.]

WILLIAM B. REED.

KWEILIANG.

HWASHANA.

HO KWEI-TSING.

MINGSHEN.

TWAN.

[SEAL.]

## TARIFF ON IMPORTS.

Tariff on im-ports.	T.	M.	C.	C.
Agar-agar, per 100 catties.....	0	1	5	0
Asafetida, per 100 catties.....	0	6	5	0
Beeswax, yellow, per 100 catties.....	1	0	0	0
Betel-nut, per hundred catties.....	0	1	5	5
Betel-nut, husk, per hundred catties.....	0	0	7	0
Bicho de Mar, black, per 100 catties.....	1	5	0	0
Bicho de Mar, white, per 100 catties.....	0	3	5	0
Birds-nests, 1st quality, per catty.....	0	5	5	0
Birds-nests, 2nd quality, per catty.....	0	4	5	0
Birds-nests, 3rd quality, or uncleaned, per catty.....	0	1	5	0
Buttons, brass, per gross.....	0	0	5	5
Camphor, baroos, clean, per catty.....	1	3	0	0

	T.	M.	C.	C.	Tariff on imports.
Camphor, baroos, refuse, per catty.....	0	7	2	0	
Canvas and cotton duck, not exceeding 50 yards long, per piece.....	0	4	0	0	
Cardamoms, superior, per 100 catties.....	1	0	0	0	
Cardamoms, inferior, or grains of paradise, per 100 catties.....	0	5	0	0	
Cinnamon, per 100 catties.....	1	5	0	0	
Clocks, 5 per cent. ad valorem.....					
Cloves, per hundred catties.....	0	5	0	0	
Cloves, mother, per 100 catties.....	0	1	8	0	
Coal, foreign, per ton.....	0	0	5	0	
Cochineal, per 100 catties.....	5	0	0	0	
Coral, per catty.....	0	1	0	0	
Cordage, Manila, per 100 catties.....	0	3	5	0	
Cornelians, per 100 stones.....	0	3	0	0	
Cornelians, beads, per 108 catties.....	7	0	0	0	
Cotton, raw, per 100 catties.....	0	3	5	0	
Cotton piece goods, gray, white plain, and twilled, exceeding 34 inches wide, and not exceeding 40 yards long, per piece.....	0	0	8	0	
Cotton piece goods, exceeding 34 inches wide, and exceeding 40 yards long, per every 10 yards.....	0	0	2	0	
Cotton piece goods, drills and jeans, not exceeding 30 inches wide, and not exceeding 40 yards long, per piece.....	0	1	0	0	
Cotton piece goods, drills and jeans, not exceeding 30 inches wide, and not exceeding 30 yards long, per piece.....	0	0	7	5	
Cotton piece good, T cloths, not exceeding 34 inches wide, and not exceeding 48 yards long, per piece.....	0	0	8	0	
Cotton piece goods, T cloths, not exceeding 34 inches wide, and not exceeding 24 yards long, per piece.....	0	0	4	0	
Cotton, dyed, figured, and plain, not exceeding 36 inches wide, and not exceeding 40 yards long, per piece.....	0	1	5	0	
Cotton, fancy, white brocade and white spotted shirtings, not exceeding 36 inches wide, and not exceeding 40 yards long, per piece.....	0	1	0	0	
Cotton, printed chintzes and furnitures, not exceeding 31 inches wide, and not exceeding 30 yards long, per piece.....	0	0	7	0	
Cotton cambrics, not exceeding 46 inches wide, and not exceeding 24 yards long, per piece.....	0	0	7	0	
Cotton cambrics, not exceeding 46 inches wide, and not exceeding 12 yards long, per piece.....	0	0	3	5	
Cotton muslins, not exceeding 46 inches wide, and not exceeding 24 yards long, per piece.....	0	0	7	5	
Cotton muslins, not exceeding 46 inches wide, and not exceeding 12 yards long, per piece.....	0	0	3	5	
Cotton damasks, not exceeding 36 inches wide, and not exceeding 40 yards long, per piece.....	0	2	0	0	
Cotton dimities, or quiltings, not exceeding 40 inches wide, and not exceeding 12 yards long, per piece.....	0	0	6	5	
Cotton gingham, not exceeding 28 inches wide, and not exceeding 30 yards long, per piece.....	0	0	3	5	
Cotton handkerchiefs, not exceeding one yard square, per dozen.....	0	0	2	5	
Cotton fustians, not exceeding 35 yards long, per piece.....	0	2	0	0	
Cotton velveteens, not exceeding 34 yards long, per piece.....	0	1	5	0	
Cotton thread, per 100 catties.....	0	7	2	0	
Cotton yarn, per 100 catties.....	0	7	0	0	
Cow bezoar, Indian, per catty.....	1	5	0	0	
Cutch, per 100 catties.....	0	1	8	0	
Elephants' teeth, whole, per 100 catties.....	4	0	0	0	
Elephants' teeth, broken, per 100 catties.....	3	0	0	0	
Feathers, kingfisher's, peacock's, per 100.....	0	4	0	0	
Fish-maws, per 100 catties.....	1	0	0	0	
Fish-skin, per 100 catties.....	0	2	0	0	
Flints, per 100 catties.....	0	0	3	0	
Gambier, per 100 catties.....	0	1	5	0	
Gamboge, per 100 catties.....	1	0	0	0	
Ginseng, American crude, per 100 catties.....	6	0	0	0	
Ginseng, American clarified, per 100 catties.....	8	0	0	0	
Glass, window, per box of 100 square feet.....	0	1	5	0	
Glue, per 100 catties.....	0	1	5	0	
Gold thread, real, per catty.....	1	6	0	0	
Gold thread, imitation, per catty.....	0	0	3	0	
Gum benjamin, per 100 catties.....	0	6	0	0	
Gum benjamin, oil of, per 100 catties.....	0	6	0	6	
Gum, dragon's blood, per 100 catties.....	0	4	5	0	
Gum, myrrh, per 100 catties.....	0	4	5	0	
Gum, olibanum, per 100 catties.....	0	4	5	0	
Hides, buffalo and cow, per 100 catties.....	0	5	0	0	
Hides, rhinoceros, per 100 catties.....	0	4	2	0	
Horns, buffalo, per 100 catties.....	0	2	5	0	
Horns, deer, per 100 catties.....	0	2	5	0	



	T.	M.	C.	C.
Tariff on imports. Horns, rhinoceros, per 100 catties.....	2	0	0	0
Indigo, liquid, per 100 catties.....	0	1	8	0
Isinglass, per 100 catties.....	0	6	5	0
Lacquered ware, per 100 catties.....	1	0	0	0
Leather, per 100 catties.....	0	4	2	0
Linen, fine, as Irish or Scotch, not exceeding 50 yards long, per piece.....	0	5	0	0
Linen, coarse, as linen and cotton, or silk and linen mixtures, not exceed- ing 50 yards long, per piece.....	0	2	0	5
Lucraban seed, per 100 catties.....	0	0	3	5
Mace, per 100 catties.....	1	0	0	0
Mangrove bark, per 100 catties.....	0	0	3	0
Metals, copper, manufactured, as in sheets, rods, nails, per 100 catties.....	1	5	0	0
Metals, copper, unmanufactured, as in slabs, per 100 catties.....	1	0	0	0
Metals, copper, yellow-metal sheathing and nails, per 100 catties.....	0	9	0	0
Metals, copper, Japan, per 100 catties.....	0	6	0	0
Metals, iron, manufactured, as in sheets, rods, bars, hoops, per 100 catties.....	0	1	2	5
Metals, iron, unmanufactured, as in pigs, per 100 catties.....	0	0	7	5
Metals, iron, kettledge, per 100 catties.....	0	0	1	0
Metals, iron, wire, per 100 catties.....	0	2	5	0
Metals, lead, in pigs, per 100 catties.....	0	2	5	0
Metals, lead, in sheets, per 100 catties.....	0	5	5	0
Metals, quicksilver.....	2	0	0	0
Metals, spelter, saleable only under regulations appended, per 100 catties.....	0	2	5	0
Metals, steel, per 100 catties.....	0	2	5	0
Metals, tin, per 100 catties.....	1	2	5	0
Metals, tin plates, per 100 catties.....	0	4	0	0
Mother-o'-pearl shell, per 100 catties.....	0	2	0	0
Musical boxes, 5 per cent. ad valorem.....				
Mussels, dried, per 100 catties.....	0	2	0	0
Nutmegs, per 100 catties.....	2	5	0	0
Olives, unpickled, salted, or pickled, per 100 catties.....	0	1	8	0
Opium, per 100 catties.....	30	0	0	0
Pepper, black, per 100 catties.....	0	3	6	0
Pepper, white, per 100 catties.....	0	5	0	0
Prawns, dried, per 100 catties.....	0	3	6	0
Putchuck, per 100 catties.....	0	6	0	0
Rattans, per 100 catties.....	0	1	5	0
Rose maloes, per 100 catties.....	1	0	0	0
Salt fish, per 100 catties.....	0	1	8	0
Saltpetre, saleable only under regulation appended, per hundred catties.....	0	5	0	0
Sandal wood, per 100 catties.....	0	4	0	0
Sapan wood, per hundred catties.....	0	1	0	0
Sea-horse teeth, per 100 catties.....	2	0	0	0
Sharks' fins, black, per 100 catties.....	0	5	0	0
Sharks' fins, white, per 100 catties.....	1	5	0	0
Sharks' skins, per hundred.....	2	0	0	0
Silver thread, real, per catty.....	1	3	0	0
Silver thread, imitation, per catty.....	0	0	3	0
Sinews, buffalo and deer, per 100 catties.....	0	5	5	0
Skins, fox, large, each.....	0	1	5	0
Skins, fox, small, each.....	0	0	7	5
Skins, marton, each.....	0	1	5	0
Skins, sea otter, each.....	1	5	0	0
Skins, tiger and leopard, each.....	0	1	5	0
Skins, beaver, per hundred.....	5	0	0	0
Skins, doe, hare, and rabbit, per hundred.....	0	5	0	0
Skins, squirrel, per hundred.....	0	5	0	0
Skins, land otter, per hundred.....	2	0	0	0
Skins, racoon, per hundred.....	2	0	0	0
Smalts, per 100 catties.....	1	5	0	0
Snuff, foreign, per 100 catties.....	7	2	0	0
Sticklac, per 100 catties.....	0	3	0	0
Stockfish, per 100 catties.....	0	5	0	0
Sulphur and brimstone, (saleable only under regulation appended,) per 100 catties.....	0	2	0	0
Telescopes, spy and opera glasses, looking-glasses, mirrors, 5 per cent. ad valorem.....				
Tigers' bones, per 100 catties.....	1	5	5	0
Timber, masts and spars, hard-wood, not exceeding 40 feet, each.....	4	0	0	0
Timber, masts and spars, hard-wood, not exceeding 60 feet, each.....	6	0	0	0
Timber, masts and spars, hard-wood, exceeding 60 feet each.....	10	0	0	0
Timber, masts and spars, soft-wood, not exceeding 40 feet each.....	2	0	0	0
Timber, masts and spars, soft-wood, not exceeding 60 feet each.....	4	5	0	0
Timber, masts and spars, soft-wood, exceeding 60 feet each.....	6	5	0	0
Timber, beams, hard-wood, not exceeding 26 feet long, and under 12 inches square, each.....	0	1	5	0

	T.	M.	C.	C.	Tariff on imports.
Timber, planks, hard-wood, not exceeding 24 feet long, 12 inches wide, and 3 inches thick, per 100	3	5	0	0	
Timber, planks, hard-wood, not exceeding 16 feet long, 12 inches wide, and 3 inches thick, per 100	2	0	0	0	
Timber, plank, soft-wood, per 1,000 square feet	0	7	0	0	
Timber, plank, teak, per cubic foot	0	0	3	5	
Tinder, per 100 catties	0	3	5	0	
Tortoise-shell, per catty	0	2	5	0	
Tortoise-shell, broken, per catty	0	0	7	2	
Umbrellas, each	0	0	3	5	
Velvets, not exceeding 34 yards long, per piece	0	1	8	0	
Watches, per pair	1	0	0	0	
Watches, émaillées à perles, per pair	4	5	0	0	
Wax, Japan, per 100 catties	0	6	5	0	
Woods, camagon, per 100 catties	0	0	3	0	
Woods, ebony, per 100 catties	0	1	5	0	
Woods, garroo, per 100 catties	2	0	0	0	
Woods, fragrant, per 100 catties	0	4	5	0	
Woods, kranjee, 35 feet long, 1 foot 8 inches wide, and 1 foot thick, each	0	8	0	0	
Woods, laka, per 100 catties	0	1	4	5	
Woods, red, per 100 catties	0	1	1	5	
Woollen manufactures, viz, blankets, per pair	0	2	0	0	
Woollen broadcloth and Spanish stripes, habit and medium cloth, 51 a 64 inches wide, per chang	0	1	2	0	
Woollen, long ells, 31 inches wide, per chang	0	0	4	5	
Woollen camlets, English, 31 inches wide, per chang	0	0	5	0	
Woollen camlets, Dutch, 33 inches wide, per chang	0	1	0	0	
Woollen camlets, imitation and bombazettes, per chang	0	0	3	5	
Woollen cassimeres, flannel, and narrow cloth, per chang	0	0	4	0	
Woollen lastings, 31 inches wide, per chang	0	0	5	0	
Woollen lastings, imitation and Orleans, 34 inches wide, per chang	0	0	3	5	
Woollen bunting, not exceeding 24 inches wide, 40 yards long, per piece	0	2	0	0	
Woollen and cotton mixtures, viz, lustres, plain and brocaded, not exceeding 31 yards long, per piece	0	2	0	0	
Woollen, inferior Spanish stripes, per chang	0	1	0	0	
Woollen yarn, per 100 catties	3	0	0	0	

## TARIFF ON EXPORTS.

Tariff on exports.

Alum, per 100 catties	0	0	4	5
Alum, green or copperas, per 100 catties	0	1	0	0
Anise-seed, star, per 100 catties	0	5	0	0
Anise-seed, broken, per 100 catties	0	2	5	0
Anise-seed, oil, per 100 catties	5	0	0	0
Apricot seeds, or almonds, per 100 catties	0	4	5	0
Arsenic, per 100 catties	0	4	5	0
Artificial flowers, per 100 catties	1	5	0	0
Bamboo ware, per 100 catties	0	7	5	0
Bangles, or glass armlets, per 100 catties	0	5	0	0
Beans and peas, (except from New Chwang and Tang Chow,) per 100 catties	0	0	6	0
Bean cake, (except from New Chwang and Tang Chow,) per 100 catties	0	0	3	5
Bone and horn ware, per 100 catties	1	5	0	0
Brass buttons, per 100 catties	3	0	0	0
Brass foil, per 100 catties	1	5	0	0
Brass ware, per 100 catties	1	0	0	0
Brass wire, per 100 catties	1	1	5	0
Camphor, per 100 catties	0	7	5	0
Canes, per thousand	0	5	0	0
Cantharides, per 100 catties	2	0	0	0
Capoor cutchery, per 100 catties	0	3	0	0
Carpets and druggets, per hundred	3	5	0	0
Cassia lignea, per 100 catties	0	6	0	0
Cassia buds, per 100 catties	0	8	0	0
Cassia twigs, per 100 catties	0	1	5	0
Cassia oil, per 100 catties	9	0	0	0
Castor oil, per 100 catties	0	2	0	0
Chestnuts, per 100 catties	0	1	0	0
China root, per 100 catties	0	1	3	0
Chinaware, fine, per 100 catties	0	9	0	0
Chinaware, coarse, per 100 catties	0	4	5	0
Cinnabar, per 100 catties	0	7	5	0
Clothing, cotton, per 100 catties	1	5	0	0
Clothing, silk, per 100 catties	10	0	0	0
Coal, per 100 catties	0	0	4	0
Coir, per 100 catties	0	1	0	0
Copper ore, per 100 catties	0	5	0	0
Copper sheathing, old, per 100 catties	0	5	0	0

	T.	M.	C.	C.
Tariff on exports. Copper and pewter ware, per 100 catties .....	1	1	5	0
Corals, false, per 100 catties .....	0	3	5	0
Cotton, raw, per 100 catties .....	0	3	5	0
Cotton rags, per 100 catties .....	0	0	4	5
Cow bezoar, per catty .....	0	3	6	0
Crackers, fireworks, per 100 catties .....	0	5	0	0
Cubebs, per 100 catties .....	1	5	0	0
Curiosities, antiques, 5 per cent. ad valorem.				
Dates, black, per 100 catties .....	0	1	5	0
Dates, red, per 100 catties .....	0	0	9	0
Dye, green, per catty .....	0	8	0	0
Eggs, preserved, per thousand .....	0	3	5	0
Fans, feather, per hundred .....	0	7	5	0
Fans, paper, per hundred .....	0	0	4	5
Fans, palm leaf, trimmed, per thousand .....	0	3	6	0
Fans, palm leaf, untrimmed, per thousand .....	0	2	0	0
Felt cuttings, per 100 catties .....	0	1	0	0
Felt caps, per hundred .....	1	2	5	0
Fungus, or agaric, per 100 catties .....	0	6	0	0
Galangal, per 100 catties .....	0	1	0	0
Garlic, per 100 catties .....	0	0	3	5
Ginseng, native, 5 per cent. ad valorem				
Ginseng, Corean or Japan, first quality, per catty .....	0	5	0	0
Ginseng, Corean or Japan, second quality, per catty .....	0	3	5	0
Glass beads, per 100 catties .....	0	5	0	0
Glass, or vitrified ware, per 100 catties .....	0	5	0	0
Grass-cloth, fine, per 100 catties .....	2	5	0	0
Grass-cloth, coarse, per 100 catties .....	0	7	5	0
Ground-nuts, per 100 catties .....	0	1	0	0
Ground-nuts, cake, per 100 catties .....	0	0	3	0
Gypsum, ground, or plaster of Paris, per 100 catties .....	0	0	3	0
Hair, camels', per 100 catties .....	1	0	0	0
Hair, goats', per 100 catties .....	0	1	8	0
Hams, per 100 catties .....	0	5	5	0
Hartall, or orpiment, per 100 catties .....	0	3	5	0
Hemp, per 100 catties .....	0	3	5	0
Honey, per 100 catties .....	0	9	0	0
Horns, deer's, young, per pair .....	0	9	0	0
Horns, deer's, old, per 100 catties .....	1	3	5	0
India ink, per 100 catties .....	4	0	0	0
Indigo, dry, per 100 catties .....	1	0	0	0
Ivory ware, per catty .....	0	1	5	0
Joss sticks, per 100 catties .....	0	2	0	0
Kittysolls, or paper umbrellas, per hundred .....	0	5	0	0
Lacquered ware, per 100 catties .....	1	0	0	0
Lamp-wicks, per 100 catties .....	0	6	0	0
Lead, red, (minium,) per 100 catties .....	0	3	5	0
Lead, white, (certuse,) per 100 catties .....	0	3	5	0
Lead, yellow, (massicot,) per 100 catties .....	0	3	5	0
Leather articles, as pouches, purses, per 100 catties .....	1	5	0	0
Leather, green, per 100 catties .....	1	8	0	0
Lichees, per 100 catties .....	0	2	0	0
Lily flowers, dried, per 100 catties .....	0	2	7	0
Lily-seed, or lotus nuts, per 100 catties .....	0	5	0	0
Licorice, per 100 catties .....	0	1	3	5
Lung-ngan, per 100 catties .....	0	2	5	0
Lung-ngan, without the stone, per 100 catties .....	0	3	5	0
Manure-cakes, or poudrette, per 100 catties .....	0	0	9	0
Marble slabs, per 100 catties .....	0	2	0	0
Mats of all kinds, per hundred .....	0	2	0	0
Matting, per roll of 40 yards .....	4	0	2	0
Melon-seeds, per 100 catties .....	0	1	0	0
Mother-o'-pearl ware, per catty .....	0	1	0	0
Mushrooms, per 100 catties .....	1	5	0	0
Musk, per catty .....	0	9	0	0
Nankeen and native cotton cloths, per 100 catties .....	1	5	0	0
Nutgalls, per 100 catties .....	0	5	0	0
Oil, as bean, tea, wood, cotton, and hemp-seed, per 100 catties .....	0	3	0	0
Oiled paper, per 100 catties .....	0	4	5	0
Olive-seed, per 100 catties .....	0	3	0	0
Oyster-shells, sea-shells, per 100 catties .....	0	0	9	0
Paint, green, per 100 catties .....	0	4	5	0
Palampore, or cotton bedquilts, per hundred .....	2	7	5	0
Paper, 1st quality, per 100 catties .....	0	7	0	0
Paper, 2d quality, per 100 catties .....	0	4	0	0
Pearls, false, per 100 catties .....	2	0	0	0

	T.	M.	C.	C.	
Peel, orange, per 100 catties.....	0	3	0	0	Tariff on exports.
Peel, pumelo, 1st quality, per 100 catties.....	0	4	5	0	
Peel, pumelo, 2d quality, per 100 catties.....	0	1	5	0	
Peppermint leaf, per 100 catties.....	0	1	0	0	
Peppermint oil, per 100 catties.....	3	5	0	0	
Pictures and paintings, each.....	0	1	0	0	
Pictures on pith or rice paper, per hundred.....	0	1	0	0	
Pottery, earthenware, per 100 catties.....	0	0	5	0	
Preserve, comfits, and sweetmeats, per 100 catties.....	0	5	0	0	
Rattans, split, per 100 catties.....	0	2	5	0	
Rattan ware, per 100 catties.....	0	3	0	0	
Rhubarb, per 100 catties.....	1	2	5	0	
Rice or paddy wheat, millet, and other grains, per 100 catties.....	0	1	0	0	
Rugs of hair or skin, each.....	0	0	9	0	
Samshoo, per 100 catties.....	0	1	5	0	
Sandal-wood ware, per catty.....	0	1	0	0	
Sea-weed, per 100 catties.....	0	1	5	0	
Sesamum seed, per 100 catties.....	0	1	3	5	
Shoes and boots, leather or satin, per one hundred pairs.....	3	0	0	0	
Shoes, straw, per one hundred pairs.....	0	1	8	0	
Silk, raw and thrown, per 100 catties.....	10	0	0	0	
Silk, yellow, from Szechuen, per 100 catties.....	7	0	0	0	
Silk, reeled, from Dupions, per 100 catties.....	5	0	0	0	
Silk, wild raw, per 100 catties.....	2	5	0	0	
Silk, refuse, per 100 catties.....	1	0	0	0	
Silk, cocoons, per 100 catties.....	3	0	0	0	
Silk, floss, Canton, per 100 catties.....	4	3	0	0	
Silk, floss, from other provinces, per 100 catties.....	10	0	0	0	
Silk, ribbons and thread, per 100 catties.....	10	0	0	0	
Silk, piece goods, pongees, shawls, scarfs, crape, satin, gauze, velvet, and embroidered goods, per 100 catties.....	12	0	0	0	
Silk, piece goods, Szechuen and Shantung, per 100 catties.....	4	5	0	0	
Silk, tassels, per 100 catties.....	10	0	0	0	
Silk caps, per hundred.....	0	9	0	0	
Silk and cotton mixtures, per 100 catties.....	5	5	0	0	
Silver and gold ware, per 100 catties.....	10	0	0	0	
Suuff, per 100 catties.....	0	8	0	0	
Soy, per 100 catties.....	0	4	0	0	
Straw braid, per 100 catties.....	0	7	0	0	
Sugar, brown, per 100 catties.....	0	1	2	0	
Sugar, white, per 100 catties.....	0	2	0	0	
Sugar candy, per 100 catties.....	0	2	5	0	
Tallow, animal, per 100 catties.....	0	2	0	0	
Tallow, vegetable, per 100 catties.....	0	3	0	0	
Tea, per 100 catties.....	2	5	0	0	
Tin-foil, per 100 catties.....	1	2	5	0	
Tobacco, prepared, per 100 catties.....	0	4	5	0	
Tobacco, leaf, per 100 catties.....	0	1	5	0	
Tortoise-shell ware, per catty.....	0	2	0	0	
Trunks, leather, per 100 catties.....	1	5	0	0	
Turmeric, per 100 catties.....	0	1	0	0	
Twine, hemp, Canton, per 100 catties.....	0	1	5	0	
Twine, hemp, Soochow, per 100 catties.....	0	5	0	0	
Turnips, salted, per 100 catties.....	0	1	8	0	
Varnish, or crude lacquer, per 100 catties.....	0	5	0	0	
Vermicelli, per 100 catties.....	0	1	8	0	
Vermilion, per 100 catties.....	2	5	0	0	
Wax, white or insect, per 100 catties.....	1	5	0	0	
Wood, piles, poles, and joists, each.....	0	0	3	0	
Wood ware, per 100 catties.....	1	1	5	0	
Wool, per 100 catties.....	0	3	5	0	

[SEAL.]

WILLIAM B. REED.

RULE I.

*Unenumerated goods.*

Regulations of trade.  
Rule 1.

Articles not enumerated in the list of exports, but enumerated in the list of imports, when exported, shall pay the amount of duty set against them in the list of imports; and similarly, articles not enumerated in the list of imports, but enumerated in the list of exports, when imported, will pay the amount of duty set against them in the list of exports.

Articles not enumerated in either list, nor in the list of duty free goods, shall pay an ad valorem duty of five per cent., calculated upon their market value.

## Rule 2.

## RULE II.

*Duty-free goods.*

Goods, duty free. Gold and silver bullion, foreign coins, flour, Indian-meal, sago, biscuit, preserved meats, and vegetables.  
 Cheese, butter, confectionery.  
 Foreign clothing, jewelry, plated ware, perfumery, soap of all kinds.  
 Charcoal, firewood, candles, (foreign,) tobacco, (foreign,) cigars, (foreign.)  
 Wine, beer, spirits, household stores, ship's stores, personal baggage, stationery, carpeting, druggeting, cutlery, foreign medicines, and glass and crystal ware.  
 The above commodities pay no import or export duty; but, if transported into the interior, will, with the exception of personal baggage, gold and silver bullion, and foreign coins, pay a transit duty at the rate of two and a half per cent. ad valorem.  
 A freight or partfreight of duty-free goods (personal baggage, gold and silver bullion, and foreign coins excepted) will render the vessel carrying them, though no other cargo be on board, liable to tonnage dues.

## Rule 3.

## RULE III.

*Contraband goods.*

Contraband. Import and export trade is alike prohibited in the following articles:  
 Gunpowder, shot, cannon, fowling-pieces, rifles, muskets, pistols, and all other munitions and implements of war, and salt.

## Rule 4.

## RULE IV.

*Weights and measures.*

Weights and measures. In the calculations of the tariff the weight of a pecul of one hundred catties is held to be equal to one hundred and thirty-three and one-third pounds avoirdupois, and the length of a *chang* of ten Chinese feet to be equal to one hundred and forty-one English inches.  
 One Chinese *chih* is held to equal fourteen and one-tenth inches English, and four yards English, less three inches, to equal one *chang*.

## Rule 5.

## RULE V.

*Regarding certain commodities heretofore contraband.*

Restrictions relaxed on—  
 Opium. The restrictions affecting trade in opium, cash, grain, pulse, sulphur, brimstone, salt-petre, and spelter, are relaxed under the following conditions:  
 1. Opium will henceforth pay thirty taels per pecul import duty. The importer will sell it only at the port. It will be carried into the interior by Chinese only, and only as Chinese property; the foreign trader will not be allowed to accompany it. The provision of the treaty of Tien-tsin, conferring privileges by virtue of the most favored clause, so far as respects citizens of the United States going into the interior to trade or paying transit duties, shall not extend to the article of opium, the transit duties on which will be arranged as the Chinese Government see fit; nor in future revisions of the tariff is the same rule of revision to be applied to opium as to other goods.  
 2. *Copper cash.*—The export of cash to any foreign port is prohibited; but it shall be lawful for citizens of the United States to ship it at one of the open ports of China to another on compliance with the following regulation: The shipper shall give notice of the amount of cash he desires to ship, and the port of its destination, and shall bind himself, either by a bond with two sufficient sureties, or by depositing such other security as may be deemed by the customs satisfactory, to return, within six months from the date of clearance, to the collector at the port of shipment, the certificate issued by him, with an acknowledgment thereon of the receipt of the cash at the port of destination by the collector at that port, who shall thereto affix his seal; or, failing the production of the certificate, to forfeit a sum equal in value to the cash shipped.  
 Cash will pay no duty inwards or outwards, but a freight, or part freight of cash, though no other cargo be on board, will render the vessel carrying it liable to tonnage dues.  
 3. The export of rice and all other grains whatsoever, native or foreign, no matter where grown or whence imported, to any foreign port, is prohibited; but these commodities may be carried by citizens of the United States from one of the open ports of China to another, under the same conditions in respect of security as cash, on payment at the port of shipment of the duty specified in the tariff.  
 No import duty shall be leviable upon rice or grain, but a freight or part freight of rice or grain, though no other cargo be on board, will render the vessel importing it liable to tonnage dues.  
 4. *Pulse.*—The export of pulse and bean cake from Tang-Chau, and Nin-Chwang, under the American flag is prohibited. From any of the other open ports they may be shipped, on payment of the tariff duty, either to other ports of China or to foreign countries.  
 5. Saltpetre, sulphur, brimstone, and spelter, being deemed by the Chinese to be munitions of war, shall not be imported by citizens of the United States save at the requisition of the Chinese Government, or for sale to Chinese duly authorized to purchase them. No permit to land them shall be issued until the customs have proof that

the necessary authority has been given to the purchaser. It shall not be lawful for citizens of the United States to carry these commodities up the Yang-tsz-Kiang, or into any port other than those open on the sea-board, nor to accompany them into the interior on behalf of Chinese. They must be sold at the ports only, and, except at the ports, they will be regarded as Chinese property.

Infractions of the conditions, as above set forth, under which trade in opium, cash, grain, pulse, sulphur, brimstone, saltpetre, and spelter may be henceforward carried on, will be punishable by confiscation of all the goods concerned.

**RULE VI.**

*Liability of vessels entering port.*

For the prevention of misunderstanding, it is agreed that American vessels must be reported to the Consul within twenty-four hours, counting from the time the vessel comes within the limits of the port, and that the same rule be applied to the forty-night hours allowed by art. 19 of the treaty to remain in port without payment of tonnage dues.

The limits of the ports shall be defined by the customs, with all consideration for the convenience of trade, compatible with due protection of the revenue; also, the limits of the anchorages within which lading and discharging are permitted by the customs, and the same shall be notified to the Consuls for public information.

**RULE VII.**

*Transit dues.*

It is agreed that the amount of transit dues legally levyable upon merchandise imported or exported shall be one-half the tariff duties, except in the case of the duty free goods liable to a transit duty of two and a half per cent. ad valorem, as provided in No. 2 of these rules.

Merchandise shall be cleared of its transit dues under the following regulations:

In the case of imports. Notice being given at the port of entry from which the imports are to be forwarded inland of the nature and quantity of the goods, the ship from which they have been landed, and the place inland to which they are bound, with all other necessary particulars, the collector of customs shall, on due inspection made, and on receipt of the transit duty due, issue a transit duty certificate. This must be produced at every barrier station, and viséed. No further duty will be levyable upon imports so certificated, no matter how distant the place of their destination.

In the case of exports. Produce purchased by a citizen of the United States in the interior will be inspected and taken account of at the first barrier it passes on its way to the port of shipment. A memorandum showing the amount of the produce, and the port at which it is to be shipped, will be deposited there by the person in charge of the produce. He will then receive a certificate, which must be exhibited and viséed at every barrier on his way to the port of shipment. On the arrival of the produce at the barrier nearest the port notice must be given to the customs at the port, and the transit dues due thereon being paid it will be passed. On exportation the produce will pay the tariff duty.

Any attempt to pass goods inward or outward, otherwise than in compliance with the rule here laid down, will render them liable to confiscation. Unauthorized sale in transitu of goods that have been entered as above for a port will render them liable to confiscation. Any attempt to pass goods in excess of the quantity specified in the certificate will render all the goods of the same denomination named in the certificate liable to confiscation. Permission to export produce which cannot be proved to have paid its transit dues will be refused by the customs until the transit dues shall have been paid.

**RULE VIII.**

*Trade with the capital.*

It is agreed that no citizen of the United States shall have the privilege of entering the capital city of Peking for the purposes of trade.

**RULE IX.**

*Abolition of the meltage fee.*

It is agreed that the percentage of one tael, two mace hitherto charged, in excess of duty payments, to defray the expenses of melting by the Chinese Government, shall no longer be levied on citizens of the United States.

**RULE X.**

*Collection of duties under one system at all ports.*

It being, by treaty, at the option of the Chinese Government to adopt what means appear to it best suited to protect its revenue accruing on American trade, it is agreed that one uniform system shall be enforced at every port.

Confiscation.

Rule 6.

Liabilities of vessels entering port.

Limits of ports.

Rule 7.

Transit dues.

Imports.

Exports.

Penalty for violation of rules.

Rule 8.

Trade with the capital.

Rule 9.

Meltage fee.

Rule 10.

Collection of duties.

Superintendent  
of foreign trade.

The high officer appointed by the Chinese Government to superintend foreign trade will accordingly, from time to time, either himself visit, or will send a deputy to visit, the different ports. The said high officer will be at liberty of his own choice, independently of the suggestion or nomination of any American authority, to select any citizen of the United States he may see fit to aid him in the administration of the customs revenue, in the prevention of smuggling, in the definition of port boundaries, or in discharging the duties of harbor-master; also in the distribution of lights, buoys, beacons, and the like, the maintenance of which shall be provided for out of the tonnage dues.

Smuggling.

Lights, beacons,  
&c.

The Chinese Government will adopt what measures it shall find requisite to prevent smuggling up the Yang-tsz-Kiang, when that river shall be open to trade.

[SEAL.]

WILLIAM B. REED.

## CHINA, 1858.

Nov. 8, 1858.

SUPPLEMENTAL CONVENTION BETWEEN THE UNITED STATES OF AMERICA AND THE TA TSING EMPIRE FOR THE ADJUSTMENT OF CLAIMS, CONCLUDED AT SHANGHAI NOVEMBER 8, 1858; RATIFICATION ADVISED BY SENATE MARCH 1, 1859; RATIFIED BY PRESIDENT MARCH 3, 1859.

[The arrangement made at Tien-Tsin, and called a convention in the preamble to this convention, was made through the medium of correspondence. For this and other reasons the supplemental convention was entered into. This convention is, therefore, in substance, the perfect treaty.]

Preamble.

In order to carry into effect the convention made at Tien-tsin by the High Commissioners and Plenipotentiaries respectively representing the United States of America and the Ta Tsing Empire, for the satisfaction of claims of American citizens, by which it was agreed that one-fifth of all tonnage, import and export duties, payable on American ships and goods shipped in American vessels at the ports of Canton, Shanghai, and Fuh-chau, to an amount not exceeding six hundred thousand taels, should be applied to that end; and the Plenipotentiary of the United States, actuated by a friendly feeling towards China, is willing, on behalf of the United States, to reduce the amount needed for such claims to an aggregate of five hundred thousand taels, it is now expressly agreed by the high contracting parties in the form of a supplementary convention, as follows:

### ARTICLE I.

Liquidation of  
claims of American  
citizens.

That on the first day of the next Chinese year the collectors of customs at the said three ports shall issue debentures to the amount of five hundred thousand taels, to be delivered to such persons as may be named by the Minister or chief diplomatic officer of the United States in China, and it is agreed that the amount shall be distributed as follows: Three hundred thousand taels at Canton, one hundred thousand taels at Shanghai, and one hundred thousand taels at Fuh chau, which shall be received in payment of one-fifth of the tonnage, export and import duties on American ships, or goods in American ships at the said ports, and it is agreed that this amount shall be in full liquidation of all claims of American citizens at the various ports to this date.

Signatures.

In faith whereof the respective Plenipotentiaries of the United States of America and the Ta Tsing Empire, that is to say, on the part of the United States, William B. Reed, Envoy Extraordinary and Minister Plenipotentiary, and on the part of the Ta Tsing Empire, Kweiliang, a member of the Privy Council, Captain-General of the Plain White Banner Division of the Manchu Bannermen and Superintendent of the Board of Punishments; and Hwashana, Classical Reader at Banquets, President of the Board of Civil Office, Captain-General of the Bordered Blue Banner Division of the Chinese Bannermen, both of them Plenipotentiaries, with Ho-Kwei-tsing, Governor-General of the two Kiang Provinces, President of the Board of War, and Guardian of the Heir-Apparent; Mingshen, President of the Ordnance Office of the Imperial

Household, with the Insignia of the Second Grade; and Twan, a titular President of the Fifth Grade, member of the Establishment of the General Council, and one of the junior Under Secretaries of the Board of Punishments, all of them special Imperial Commissioners deputed for the purpose, have signed and sealed these presents.

Done at Shanghai, this eighth day of November, in the year of our Lord one thousand eight hundred and fifty-eight, and of the Independence of the United States the eighty-third, and in the eighth year of Heifung, the tenth month and third day.

Date.

[SEAL.]

WILLIAM B. REED.

KWEILIANG.

HWASHANA.

HO-KWEI-TSING.

MINGSHEN.

TWAN.

[SEAL.]

CHINA, 1868.

ADDITIONAL ARTICLES TO THE TREATY OF JUNE 18, 1858, BETWEEN THE UNITED STATES AND CHINA; FIRST CONCLUDED JULY 4, 1868; RATIFICATION ADVISED BY SENATE, WITH AMENDMENTS, JULY 24, 1868; SENATE'S AMENDMENTS INCORPORATED AND THE ARTICLES FINALLY CONCLUDED AT WASHINGTON JULY 28, 1868; RATIFIED BY PRESIDENT OCTOBER 19, 1868; RATIFICATIONS EXCHANGED AT PEKING NOVEMBER 23, 1869; PROCLAIMED FEBRUARY 5, 1870.

July 28, 1868.

*Additional articles to the treaty between the United States of America and the Ta Tsing Empire of the 18th of June, 1858.*

Whereas since the conclusion of the treaty between the United States of America and the Ta Tsing Empire (China) of the 18th of June, 1858, circumstances have arisen showing the necessity of additional articles thereto, the President of the United States and the August Sovereign of the Ta Tsing Empire, have named for their Plenipotentiaries to wit: The President of the United States of America, William H. Seward, Secretary of State, and His Majesty the Emperor of China, Anson Burlingame, accredited as his Envoy Extraordinary and Minister Plenipotentiary, and Chih-Kang and Sun Chia-Ku, of the second Chinese rank, associated High Envoys and Ministers of his said Majesty; and the said Plenipotentiaries, after having exchanged their full powers, found to be in due and proper form, have agreed upon the following articles:

Preamble.

[See pp. 129-137.]

Contracting parties.

Negotiators.

ARTICLE I.

His Majesty the Emperor of China, being of the opinion that, in making concessions to the citizens or subjects of foreign powers of the privilege of residing on certain tracts of land, or resorting to certain waters of that empire for purposes of trade, he has by no means relinquished his right of eminent domain or dominion over the said land and waters, hereby agrees that no such concession or grant shall be construed to give to any power or party which may be at war with or hostile to the United States the right to attack the citizens of the United States or their property within the said lands or waters. And the United States, for themselves, hereby agree to abstain from offensively attacking the citizens or subjects of any power or party or their property with which they may be at war on any such tract of land or waters of the said empire. But nothing in this article shall be construed to prevent the United States from resisting an attack by any hostile power or party upon their citizens or their property. It is further agreed that if any right or interest in any tract of land in China has been or shall hereafter be granted by the Government of China to the United States or their citizens for purposes

Construction of concessions by China.

Eminent domain of Emperor of China not relinquished.

Attacks by or upon citizens of United States.

Jurisdiction of Chinese authorities.



of trade or commerce, that grant shall in no event be construed to divest the Chinese authorities of their right of jurisdiction over persons and property within said tract of land, except so far as that right may have been expressly relinquished by treaty.

#### ARTICLE II.

**Unstipulated privileges.** The United States of America and His Majesty the Emperor of China, believing that the safety and prosperity of commerce will thereby best be promoted, agree that any privilege or immunity in respect to trade or navigation within the Chinese dominions which may not have been stipulated for by treaty, shall be subject to the discretion of the Chinese Government and may be regulated by it accordingly, but not in a manner or spirit incompatible with the treaty stipulations of the parties.

#### ARTICLE III.

**Chinese consuls, &c.** The Emperor of China shall have the right to appoint Consuls at ports of the United States, who shall enjoy the same privileges and immunities as those which are enjoyed by public law and treaty in the United States by the Consuls of Great Britain and Russia, or either of them.

#### ARTICLE IV.

**Liberty of conscience.** [See Article XXIX, treaty of 1858, p. 136.] The 29th article of the treaty of the 18th of June, 1858, having stipulated for the exemption of Christian citizens of the United States and Chinese converts from persecutions in China on account of their faith, it is further agreed that citizens of the United States in China of every religious persuasion, and Chinese subjects in the United States, shall enjoy entire liberty of conscience, and shall be exempt from all disability or persecution on account of their religious faith or worship in either country. **Cemeteries.** Cemeteries for sepulture of the dead, of whatever nativity or nationality, shall be held in respect and free from disturbance or profanation.

#### ARTICLE V.

**Right of voluntary emigration recognized.** The United States of America and the Emperor of China cordially recognize the inherent and inalienable right of man to change his home and allegiance, and also the mutual advantage of the free migration and emigration of their citizens and subjects respectively from the one country to the other for purposes of curiosity, of trade, or as permanent residents. The high contracting parties therefore join in reprobating any other than an entirely voluntary emigration for these purposes. They consequently agree to pass laws making it a penal offence for a citizen of the United States or Chinese subjects to take Chinese subjects either to the United States or to any other foreign country, or for a Chinese subject or citizen of the United States to take citizens of the United States to China or to any other foreign country without their free and voluntary consent, respectively.

**Involuntary emigration to be prohibited.**

#### ARTICLE VI.

**Privileges of residents.** Citizens of the United States visiting or residing in China shall enjoy the same privileges, immunities or exemptions in respect to travel or residence as may there be enjoyed by the citizens or subjects of the most favored nation; and, reciprocally, Chinese subjects visiting or residing in the United States shall enjoy the same privileges, immunities, and exemptions in respect to travel or residence as may there be enjoyed by the citizens or subjects of the most favored nation. But nothing herein contained shall be held to confer naturalization upon citizens of the United States in China, nor upon the subjects of China in the United States.

## ARTICLE VII.

Citizens of the United States shall enjoy all the privileges of the public educational institutions under the control of the Government of China; and, reciprocally, Chinese subjects shall enjoy all the privileges of the public educational institutions under the control of the Government of the United States, which are enjoyed in the respective countries by the citizens or subjects of the most favored nation. The citizens of the United States may freely establish and maintain schools within the Empire of China at those places where foreigners are by treaty permitted to reside; and reciprocally, Chinese subjects may enjoy the same privileges and immunities in the United States.

Educational  
privileges.Maintenance of  
schools.

## ARTICLE VIII.

The United States, always disclaiming and discouraging all practices of unnecessary dictation and intervention by one nation in the affairs or domestic administration of another, do hereby freely disclaim and disavow any intention or right to intervene in the domestic administration of China in regard to the construction of railroads, telegraphs, or other material internal improvements. On the other hand, His Majesty the Emperor of China reserves to himself the right to decide the time and manner and circumstances of introducing such improvements within his dominions. With this mutual understanding, it is agreed by the contracting parties that if at any time hereafter His Imperial Majesty shall determine to construct or cause to be constructed works of the character mentioned, within the empire, and shall make application to the United States or any other western power for facilities to carry out that policy, the United States will, in that case, designate and authorize suitable engineers to be employed by the Chinese Government, and will recommend to other nations an equal compliance with such application, the Chinese Government in that case protecting such engineers in their persons and property and paying them a reasonable compensation for their services.

Non-intervention  
with internal  
works in China.

In faith whereof the respective Plenipotentiaries have signed this treaty and thereto affixed the seals of their arms.

Signatures.

Done at Washington the twenty-eighth day of July, in the year of our Lord one thousand eight hundred and sixty-eight.

Date.

[SEAL.]

WILLIAM H. SEWARD.  
ANSON BURLINGAME.  
CHIH-KANG.  
SUN CHIA-KU.

[SEAL.]