

where is clause 100 of 1842
(bribe)

Treaty of Nanjing (Nanking), 1842
(Ratifications exchanged at Hongkong, 26th June 1843.)

VICTORIA, by the Grace of God, Queen of the United Kingdom of Great Britain and Ireland, Defender of the Faith, etc., etc., To All and Singular to whom these Presents shall come, Greeting ! Whereas a Treaty between Us and Our Good Brother The Emperor of China, was concluded and signed, in the English and Chinese Languages, on board Our Ship the Cornwallis, at Nanking, on the Twenty-ninth day of August, in the Year of Our Lord One Thousand Eight Hundred and Forty-two, by the Plenipotentiaries of Us and of Our said Good Brother, duly and respectively authorized for that purpose; which Treaty is hereunto annexed in Original.

TREATY

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and His Majesty the Emperor of China, being desirous of putting an end to the misunderstandings and consequent hostilities which have arisen between the two Countries, have resolved to conclude a Treaty for that purpose, and have therefore named as their Plenipotentiaries, that is to say: Her Majesty the Queen of Great Britain and Ireland, HENRY POTTINGER, Bart., a Major General in the Service of the East India Company, etc., etc.; And His Imperial Majesty the Emperor of China, the High Commissioners KEYING, a Member of the Imperial House, a Guardian of the Crown Prince and General of the Garrison of Canton; and ELEPOO, of Imperial Kindred, graciously permitted to wear the insignia of the first rank, and the distinction of Peacock's feather, lately Minister and Governor General etc., and now Lieutenant-General Commanding at Chapoo: Who, after having communicated to each other their respective Full Powers and found them to be in good and due form, have agreed upon, and concluded, the following Articles:

ARTICLE I.

There shall henceforward be Peace and Friendship between Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and His Majesty the Emperor of China, and between their respective Subjects, who shall enjoy full security and protection for their

persons and property within the Dominions of the other.

ARTICLE II.

His Majesty the Emperor of China agrees that British Subjects, with their families and establishments, shall be allowed to reside, for the purpose of carrying on their Mercantile pursuits, without molestation or restraint at the Cities and Towns of Canton, Amoy, Foochow-fu, Ningpo, and Shanghai, and Her Majesty the Queen of Great Britain, etc., will appoint Superintendents or Consular Officers, to reside at each of the above-named Cities or Towns, to be the medium of communication between the Chinese Authorities and the said Merchants, and to see that the just Duties and other Dues of the Chinese Government is hereafter provided for, are duly discharged by Her Britannic Majesty's Subjects.

ARTICLE III.

It being obviously necessary and desirable, that British Subjects should have some Port whereat they may careen and refit their Ships, when required, and keep Stores for that purpose, His Majesty the Emperor of China cedes to Her Majesty the Queen of Great Britain, etc., the Island of Hongkong, to be possessed in perpetuity by Her Britannic Majesty, Her Heirs and Successors, and to be governed by such Laws and Regulations as Her Majesty the Queen of Great Britain, etc., shall see fit to direct.

ARTICLE IV.

The Emperor of China agrees to pay the sum of Six Millions of Dollars as the value of Opium which was delivered up at Canton in the month of March 1839, as a Ransom for the lives of Her Britannic Majesty's Superintendent and Subjects, who had been imprisoned and threatened with death by the Chinese High Officers.

ARTICLE V.

The Government of China having compelled the British Merchants trading at Canton to deal exclusively with certain Chinese Merchants called Hong Merchants (or Cohong) who had been licensed by the Chinese Government for that purpose, the Emperor of China agrees to abolish that practice in future at all Ports where British Merchants may reside, and to permit

them to carry on their mercantile transactions with whatever persons they please, and His Imperial Majesty further agrees to pay to the British Government the sum of Three Millions of Dollars, on account of Debts due to British Subjects by some of the said Hong Merchants (or Cohong), who have become insolvent, and who owe very large sums of money to Subjects of Her Britannic Majesty.

ARTICLE VI.

The Government of Her Britannic Majesty having been obliged to send out an Expedition to demand and obtain redress for the violent and unjust Proceedings of the Chinese High Authorities towards Her Britannic Majesty's Officer and Subjects, the Emperor of China agrees to pay the sum of Twelve Millions of Dollars on account of the Expenses incurred, and Her Britannic Majesty's Plenipotentiary voluntarily agrees, on behalf of Her Majesty, to deduct from the said amount of Twelve Millions of Dollars, any sums which may have been received by Her Majesty's combined Forces as Ransom for Cities and Towns in China, subsequent to the 1st day of August 1841.

ARTICLE VII.

It is agreed that the Total amount of Twenty-one Millions of Dollars, described in the three preceding Articles, shall be paid as follows:

Six Millions immediately.

Six Millions in 1843. That is: Three Millions on or before the 30th of the month of June, and Three Millions on or before the 31st of December.

Five Millions in 1844. That is: Two Millions and a Half on or before the 30th of June, and Two Millions and a half on or before the 31st of December.

Four Millions in 1845. That is: Two Millions on or before the 30th of June, and Two Millions on or before the 31st of December; and it is further stipulated, that Interest at the rate of 5 per cent. per annum, shall be paid by the Government of China on any portions of the above sums that are not punctually discharged at the periods fixed.

ARTICLE VIII.

The Emperor of China agrees to release unconditionally all Subjects of her Britannic Majesty (whether Natives of Europe or India) who may be in confinement at this moment, in any part of the Chinese Empire.

ARTICLE IX.

The Emperor of China agrees to publish and promulgate, under His Imperial Sign Manual and Seal, a full and entire amnesty and act of indemnity, to all Subjects of China on account of their having resided under, or having had dealings and intercourse with, or having entered the Service of Her Britannic Majesty, or of Her Majesty's Officers,

and His Imperial Majesty further engages to release all Chinese Subjects who may be at this moment in confinement for similar reasons.

ARTICLE X.

His Majesty the Emperor of China agrees to establish at all the Ports which are by the 2nd Article of this Treaty to be thrown open for the resort of British Merchants, a fair and regular Tariff of Export and Import Customs and other Dues, which Tariff shall be publicly notified and promulgated for general information, and the Emperor further engages, that when British Merchandise shall have once paid at any of the said Ports the regulated Customs and Dues agreeable to the Tariff, to be hereafter fixed, such Merchandise may be conveyed by Chinese Merchants, to any Province or City in the interior of the Empire of China on paying a further amount as Transit Duties which shall not exceed per cent. On the tariff value of such goods.

ARTICLE XI.

It is agreed that Her Britannic Majesty's Chief High Officer in China shall correspond with the Chinese High Officers, both at the Capital and in the Provinces, under the term "Communication" [chinese characters]. The Subordinate British Officers and Chinese High Officers in the Provinces under the terms "Statement" [chinese characters] on the part of the former, and on the part of the latter "Declaration" [chinese characters], and the Subordinates of both Countries on a footing of perfect equality. Merchants and others not holding official situations and, therefore, not

included in the above, on both sides, to use the term " Representation " [chinese characters] in all Papers addressed to, or intended for the notice of the respective Governments.

ARTICLE XII.

On the assent of the Emperor of China to this Treaty being received and the discharge of the first instalment of money, Her Britannic Majesty's Forces will retire from Nanking and the Grand Canal, and will no longer molest or stop the Trade of China. The Military Post at Chinhai will also be withdrawn, but the Islands of Koolangsoo and that of Chusan will continue to be held by Her Majesty's Forces until the money payments, and the arrangements for opening the Ports to British Merchants be completed.

ARTICLE XIII.

The Ratification of the Treaty by Her Majesty the Queen of Great Britain, etc., and His Majesty the Emperor of China shall be exchanged as soon as the great distance which separates England from China will admit; but in the meantime counterpart copies of it, signed and sealed by the Plenipotentiaries on behalf of their respective Sovereigns, shall be mutually delivered, and all its provisions and arrangements shall take effect.

Done at Nanking and Signed and Sealed by the Plenipotentiaries on board Her Britannic Majesty's ship Cornwallis, this twenty-ninth day of August, 1842, corresponding with the Chinese date, twenty-fourth day of the seventh month in the twenty-second Year of TAOU KWANG.

(L.S.) HENRY POTTINGER,

Her Majesty's Plenipotentiary.

Chinese Signatures (3).*

[Chinese Seal.]

We, having seen and considered the Treaty aforesaid, have approved, accepted, and confirmed the same in all and every one of its Articles and Clauses, as We do by these Presents approve, accept, confirm, and ratify it for Ourselves, Our Heirs, and Successors: Engaging and Promising upon Our Royal Word, that We will sincerely and faithfully perform and observe

all and singular the things which are contained and expressed in the Treaty aforesaid, and that We will never suffer the same to be violated by any one, or transgressed in any manner, as far as it lies in Our Power.

For the greater Testimony and Validity of all which, We have caused the Great Seal of Our United Kingdom of Great Britain and Ireland to be affixed to these Presents, which We have signed with Our Royal Hand.

Given at Our Court at Windsor Castle, the Twenty-eighth day of December, in the Year of Our Lord One Thousand Eight Hundred and Forty-two, and in the Sixth Year of Our Reign.

(Signed) VICTORIA R.

* The preamble mentions two Chinese negotiators only, KEYING and ELEPOO. The third signature was that of NIUKIEN, Liang Kiang Viceroy.