

FRANCE

TREATY OF TIENTSIN [TIANJIN], 1858

Napoleon, by the grace of God and the will of the nation, Emperor of the French, to all those who see these letters, Salut! A Treaty of Friendship, Trade and Navigation, followed by some separate articles, having been signed on June 27, 1858, between France and China; the Treaty and its Separate Articles follow.

TREATY OF FRIENDSHIP, TRADE AND NAVIGATION BETWEEN HIS MAJESTY THE EMPEROR OF THE FRENCH AND HIS MAJESTY THE EMPEROR OF CHINA

The Emperor of the French and the Emperor of China, both being desirous to put an end to the disagreements that have arisen between the two Empires, and wishing also to restore and improve the relations of friendship, trade and navigation which have existed between the two Powers, and to regularize them and to favor their growth and extend them into the future, have decided to conclude this new Treaty, based on the common interests of both countries, and in consequence have named as their plenipotentiaries:

For His Majesty the Emperor of the French, Sir JEAN-BAPTISTE LOUIS BARON GROS, grand officer of the Legion of Honor, great cross of the Order of the Savior of Greece, commander of the Order of the Conception of Portugal, etc., etc., etc.;

And for His Majesty the Emperor of China, GUI-LIANG, Imperial High Commissioner of the Ta-Tsing Dynasty, Grand Minister of the Eastern Palace, Director-General of the Board of Justice, etc., etc., etc.,

And HUASHANA, Imperial High Commissioner of the Ta-Tsing Dynasty, chairman of the finance council, General of the Sino-Tartar Army of the Azure-Bordered Banner, etc., etc., etc.;

Who, having exchanged credentials and found them to be in good order, have agreed as follows:

ARTICLE I

There will be constant peace and perpetual friendship between the Emperor of the French and the Emperor of China, and between the subjects of the two Empires, with no persons or places excepted.

All these persons will enjoy, with equality, full protection and security of property, when they are in the other High Contracting Party's state.

ARTICLE II

To keep this peace which has been happily restored between the two Empires, the contracting parties agree that, following the example of what is done in the West, duly accredited diplomatic agents of the Emperor of France will be able to go to the capital of the Emperor of China (who will accredit them) when important matters call.

It is agreed between the contracting parties that if another party which has a treaty with China should obtain the right to have diplomatic agents reside permanently in Beijing, France shall also immediately have this right.

Diplomats will reciprocally enjoy in their place of residence privileges and immunities granted by normal law; that is, their persons, their family, their house and their correspondence will be inviolable; that they may take employees, couriers, interpreters, servants, as necessary.

The expenses these French missions in China cost will be assumed entirely by the French government.

Diplomats the Emperor of China wishes to accredit to the Emperor of France will be received in France with all the honors and all the prerogatives given to diplomats of equal rank from other nations represented in the Court of France.

ARTICLE III

Official communication of consular and diplomatic agents of France with Chinese authorities will be written in French. But to help, they will be accompanied by a Chinese translation that is as exact as possible, until the moment when the Imperial Government of Beijing has interpreters who can handle French correctly, and then diplomatic correspondence will be in French for French diplomats and Chinese for Chinese officials. It is agreed that until then, disagreements in meaning between the French and Chinese texts, on the matter of clauses that have been laid out beforehand in conventions that are agreed on, the French text will be the one followed. This rule applies to this Treaty.

In the communications between the two countries' officials, it will always be the original and not the translation which rules.

ARTICLE IV

Henceforward, the correspondence between the authorities and officers of the two countries will be carried on in keeping with all ranks and positions, on a basis of equality. The correspondence will be between high functionaries of France and high functionaries of China in the capital and elsewhere, by dispatches or communications (*zhao-hui*). Between French officials of a lower degree and the high authorities of provinces, it will be by report (*shen-chen*) for the first, and by declaration (*zha-xing*).

Between officers and sub-officers of the two nations, as stated above, contacts will be on the basis of perfect equality.

Traders, and others without official status, will use the representation (*bing-cheng*) form in their requests or givings of information to respective authorities.

Whenever a Frenchman addresses himself to Chinese authority, his representation must first go to the Consul, who, if he finds the request reasonable and proper, will follow through on it, and who will revise or refuse it if not. Chinese, when they address themselves to the Consulate, must follow a similar procedure on the Chinese side, and Chinese authorities will handle the cases similarly.

ARTICLE V

His Majesty the French Emperor may name Consuls or Consular Agents in the seaports and river ports which are named in Article VI of this Treaty, to serve as intermediaries between Chinese authorities and the French traders and citizens, and to see to the strict application of the rules.

These officials will receive the consideration and ceremony that are due them. Their relation with the local authorities where they reside will be on a footing of the most perfect equality. If they have complaints about these authorities, they will go directly to the superior authorities of the Province, and will give immediate notice to the Emperor's Minister Plenipotentiary.

If the French Consul is absent, French captains and traders will have the right to appeal to the Consul of a Friendly Power, or if that is impossible, they may appeal to the Customs Chief, who will do his best to give the captains and traders the benefits of the present Treaty.

ARTICLE VI

Experience proves that opening new ports to trade from abroad is one of the needs of the times, and so it has been agreed that the ports of Qiongzhou and Chaozhou in the Guangdong Province ; Taiwan [Taibei] and Tanshui in the Isle of Formosa, Fujian Province; Dengzhou in Shandong Province; and Nanjing in Kiang-nan [Jiangsu] Province, will enjoy the same privileges as Canton [Guangzhou], Shanghai, Ningbo, Amoy [Xiamen] and Fuzhou. As for Nanjing, French agents in China will deliver no passports to their citizens for that city, except when the rebels there have been driven out by imperial troops.

ARTICLE VII

Frenchmen and their families may go to, settle in, and practice trade and industry in the ports and cities of the Chinese Empire situated on the seacoasts and rivers as enumerated in the preceding article, with full security and without interference.

They can go freely from one to the other, if they have passports; but they may definitely not carry on clandestine trade along the coast. If they do, their ships will be confiscated as will be the goods involved in these purchases or sales; and the Chinese government will receive these goods, though this government must inform the French Consul in the nearest port before the seizure or confiscation for it to be pronounced legal.

Frenchmen who wish to go to cities of the interior or to non-trade ports may safely do so, but only on the firm condition that they hold passports written in French and Chinese, legally issued by the diplomatic agents or Consuls of France in China and visaed by the Chinese authorities.

If this passport is lost, Frenchmen who lack it when it is legally asked for, must, unless the Chinese authorities want to give them a temporary-stay pass, giving time to ask for a new passport from the Consul, be taken to the nearest consulate, without any sort of mistreatment or insult.

As stated in former treaties, French people residing in, or passing through, ports open to foreign ships may move about their immediate neighborhood as freely as nationals. But those movings-about will have agreed limits, negotiated by the Consul and the local authorities.

French Agents in China will issue no passports to their nationals for areas where rebels are present at the time of passport issuance.

These passports will not be given by the French authorities to persons unless they show all the desired guarantees.

ARTICLE IX

All changes brought about, by common agreement, with any Power signatory to Treaties with China, on the subject of improvements to be added to the present or future tariff schedule, or to the ratio of customs, tonnage, importing, transit, and exporting, will be applied to French trade and traders as soon as they are put into force.

ARTICLE X

Any Frenchman who, in keeping with Article VI of the present Treaty, arrives in a port open to foreign commerce, may rent houses and warehouses for his goods for the duration of his stay, or may buy land to build his own on. In the same manner, the French may also establish hospitals, old people's homes, churches and cemeteries. For this purpose, the local authorities, after conferring with the Consul, will designate appropriate quarters for the homes of the French and for their constructions.

The price of renting or landholding will be freely negotiated by the parties, based as much as possible on local average prices.

The Chinese authorities will prevent their nationals from padding or exacting exorbitant prices, and the Consul will see to it, on his side, that the French don't use duress or constraint to force consent from the owners. It is further agreed that the number of French houses and the extent of French lands in the open ports will not be limited, and they may be laid out as suits those who own them. If Chinese violate or destroy French churches or cemeteries, the guilty will be punished by the laws of the land.

ARTICLE XI

Frenchmen, in the ports open to foreign commerce, may freely choose compradors, interpreters, scribes, workers, boatmen and servants, and negotiate the prices for them themselves or with the sole intervention of the Consuls. Further, they may hire Chinese scholars to teach them Chinese or other written and spoken tongues of the Empire as well as have them give them aid, either with their documents or in scientific and literary work. They may also teach to any Chinese their language or foreign languages, and freely sell French books or buy any type of Chinese book.

ARTICLE XII

Property of any kind belonging to Frenchmen in the Chinese Empire will be considered inviolable by the Chinese, and respected. Chinese authorities, no matter what

happens, may place no embargo on French ships, nor requisition them for public or private services.

ARTICLE XIII

The Christian religion having as its aim to bring men to virtue, the members of all Christian sects will have full security of their persons, property and religious practices, and effective protection will be given missionaries who peacefully go into the interior of the country, with passports of the kind mentioned in Article VIII. The Chinese Empire will place no barrier in the way of Chinese individuals who decide to embrace the Christian faith and practice, and these individuals will suffer no punishment.

All that was written and proclaimed against Christianity in the past by the Chinese Government, or approved by it, is completely abrogated, and is now without value in all provinces of the Empire.

ARTICLE XIV

No privileged trading companies may hereafter be set up in China, nor any combine to exercise a monopoly over trade.

Should this Article is broken, the Chinese authorities, on demand by the Consul or Consular Agent, will set about breaking up such combines and will, moreover, prevent their being created by preemptive prohibitions, this to eliminate all that harms free competition.

ARTICLE XV

When a French ship arrives in waters of one of the ports open to foreign trade, she may hire her choice of pilot to guide her immediately into the port, and similarly, when she has paid all legal charges and is about to set sail; no refusal of pilots is allowed, nor any delay or hindrance.

Anyone who wishes to practice the trade of pilot on French ships may be commissioned by the Consul, upon showing three certificates from ships' captains, in the same manner as is done for any other nation.

The compensation to be paid pilots will be equitably determined for each port by the Consul or Consular Agent, who will be guided by distances and navigational circumstances.

ARTICLE XVI

As soon as the pilot has guided the French trading ship into the port, the Chief of Customs will send out one or two men to check the ship and ensure that it does not practice any fraud. These representatives may stay in their own boat or board the arriving ship, as suits them. Their pay, their food and their upkeep will be covered by Chinese Customs and they may ask no payment at all from captains or crews. Any breach of this arrangement will bring a fine in line with the amount taken, which entire amount will be returned.

ARTICLE XVII

Within twenty-four hours of the arrival of a French trading ship in one of the ports open to foreign trade, the captain, without fail, must send his supercargo or trustee to deliver

to the French Consulate, into the hands of the Consul, the ship's registration papers, the ??? and the manifest. Within another twenty-four hours, the Consul will send a detailed note to the Chief of Customs indicating the name of the vessel, the list of the crew, the legal tonnage and the nature of its cargo. If, through the negligence of the captain, this latter formality has not been completed within forty-eight hours of the arrival of the vessel, the captain will be liable for penalty of fifty piastres per day of delay to the profit of the Chinese Government; the said penalty, however, will not exceed the sum of two hundred piastres.

Immediately after receipt of the note from the Consulate, the Chief of Customs will deliver a permit to open the hold. If the captain, before receiving the prescribed permit, should open the hold and commence unloading, he will be sentenced to a penalty of five hundred piastres, and the landed goods will be seized, all to go to the profit of the Chinese Government.

ARTICLE XVIII

French captains and traders may rent the kind of lighters and small craft they wish, to transport goods and passengers, and payment for these lighters will be negotiated by the interested parties without interference by the Chinese authorities, and consequently without guarantee against accidents, fraud or the disappearance of the craft. The number of craft is not limited and no monopoly is given to anyone, nor will there be any on the transport of goods by wagon for loading or after unloading.

ARTICLE XIX

Whenever a French trader has goods to embark or disembark, he must first give a detailed list to the Consul or Consular Agent, who will immediately have an approved interpreter give the facts to the Chief of Customs. This officer will hand over a permit for embarkation or disembarkation on the spot. Then follows the verification of the goods in a way ensuring the least chance of loss for either party.

The French merchant must be represented on the site of the verification (if he prefers not to assist in the same), by a qualified person, in order to attend to his interests when this verification is carried out and the duties are paid, otherwise all later claims will be null and void

On goods taxed ad valorem, if the merchant cannot agree with the Chinese clerk on the value to be fixed, each party will call on two or three merchants to look over the goods, and the highest price offered by one of these shall stand as the real value of the said merchandise.

Duties are collected on net weight. The weight of wrappings or crates is to be subtracted.

If the French merchant cannot agree with the Chinese clerk in fixing the deduction, each party will select a certain number of cases and barrels among the goods under dispute; they will first be weighed with their wrappings, then will be weighed unpacked, and the average weight of the packing will serve as the deduction for all the others.

If, in the course of the verification, a difficulty arises that cannot be resolved, the French merchant may ask for the Consul to intervene, and the Consul will then bring the problem to the attention of the Chief of Customs and both will attempt to settle it in a friendly way. But, to be followed up, this claim must be put in within twenty-four hours. As long as the dispute remains unsettled, the Chief of Customs will not enter it in his books, so as to leave the way open to examination and solution.

Imported goods which have suffered damage will benefit from a reduction of duties proportional to their depreciation: this will be equitably determined, and, if necessary, by cross-expertise, in the manner stipulated above for the fixing of *ad valorem* duties.

ARTICLE XX

Any ship entering one of the Chinese ports and which has not yet given up the disembarking permit mentioned in Article XIX, may, within two days of its arrival, leave the port and go to another without having to pay tonnage fees or customs duties, since it will pay these later in the port where it sells its goods.

ARTICLE XXI

It is agreed that import duties will be paid by French captains or merchants as the disembarking of goods goes on and after goods are verified. Export duties will be paid the same way, on embarkation. When tonnage rates and duty owed by a French ship have been fully paid, the Chief of Customs will give a full clearance, on the presentation of which the Consul will give the captain his ship's papers and he may set sail.

The Chief of Customs will designate one or more exchange houses authorized to accept the sum due from French merchants to the Government, and receipts from these exchange houses for all the payments which have been made will be deemed acquittances of the Chinese Government. Payment may be made in bullion or in foreign monies which have a relation to sycee which has been agreed upon between the Consul or Consular Agent and the Chief of Customs in the different ports, according to time, place and circumstances.

ARTICLE XXII

After the expiration of the two days mentioned in Article XX, and before disembarking goods, each French trading ship will pay the tonnage fees in full as follows: For ships of 150 tons legal burden and above, at the rate of five maces (half a tael) per ton; for ships under 150 tons burden, at a rate of one mace (a tenth of a tael) per ton. All the additional fees and surcharges formerly imposed upon arrival and departure are expressly abolished and may not be replaced by any other.

In the paying of the aforementioned fee, the Chief of Customs will give to the captain or consignor a receipt, in the form of a certificate, stating that the tonnage fee has been fully paid, and on showing this certificate to the Chief of Customs at any other port to which he has moved, the captain will be exempted from paying the tonnage rate anew; any French ship is only once liable in China for each voyage from a foreign country.

Exempted from tonnage rates are small boats, schooners, coasters and other French craft, open or not, used for the transport of passengers, baggage, letters, foodstuffs and,

generally, all objects not subject to duties. If these said craft should also, in addition, transport cargo, they are to remain in the category of vessels of less than 150 tons burden, and pay one-tenth of a tael (one mace) per ton.

French merchants may at any time charter junks or other Chinese boats, and these are not to be tonnage-taxed.

ARTICLE XXIII

All French merchandise, after the customs duties have been paid in one of the ports of China according to the Tariff, may be transported into the interior without any further taxes being charged other than transit fees at the moderate rates now in force, which are not to be raised in the future.

If Chinese customs agents, contrary to the present Treaty, demand illegal payments or elevated rates, they shall be punished according to the laws of the Empire.

ARTICLE XXIV

Any French ship in one of the ports open to foreign commerce which wishes to unload only a part of its cargo, shall pay duty only on that part; the rest being transported to other ports for sale there. The duties will be paid there.

In cases in which Frenchmen, having paid duties on merchandise in one port, wish to re-export this cargo for sale in another port, they shall so inform the Consul or Consular Agent. He, in turn, shall inform the Chief of Customs, who, after checking the identity of the goods and the integrity of the packaging, shall then give a declaration to the claimants attesting that the duties relating to the said merchandise have been paid. Bearing this declaration, the French merchants, on their arrival in another port, the Consul acting as intermediary, will present it to the Chief of Customs, who shall hand over, immediately and without charge, a permit to disembark this part of the cargo, exempt from fees; but, if the authorities discover fraud or contraband in these re-exported goods, they will, after verification, be confiscated to the benefit of the Chinese Government.

ARTICLE XXV

No transshipment of goods from one ship to another may take place, except in urgent cases by special permission. If it become necessary to do this, it must be referred to the Consul, who will give a certificate, after seeing which, the Chief of Customs will authorize the transshipment. If he wishes, he may delegate an employee of his administration to be present.

Any transshipment not authorized, except in cases of peril to life and limb, will bring confiscation, to the benefit of the Chinese government, of all the illegally transshipped cargo.

ARTICLE XXVI

In each port open to foreign trade, the Chief of Customs will receive for himself, and will deposit with the French Consulate, legal scales for goods and money, as well as weights and measures exactly the same as those in use at the Canton Customs, and bearing

a stamp and seal asserting this. These tools will be the base for all the clearing of all duties and all monies paid to the Chinese Government. They will be the remedy in cases of disagreement over the weights and measures of goods, and the results they give will rule.

ARTICLE XXVII

Import and export duties collected in China on French commerce will be paid in conformance with the tariff annexed to the present Treaty under the seals and signatures of the respective Plenipotentiaries. This tariff may be revised every seven years, to keep it in line with changes in the value of the products of the earth and industry in the two Empires.

Once these duties—which are expressly barred from increases within the abovementioned seven years, and which may not be made more onerous through any type of charge or surtax thereon—are paid, the French will be at liberty to import into China from French or other foreign ports, and to export from China to any destination, all merchandise not formally banned or subject to special monopoly as of the day of signing of the present Treaty and according to the Tariff hereto annexed.

The Government of China hereby renounces the right to increase the number of articles deemed contraband or under monopoly, and no modification shall be made in the Tariff except with the prior agreement of the French Government and its full and entire consent.

As regards the Tariff, and also all stipulations introduced or to be introduced in these Treaties, now or in the future, it is clearly understood that French merchants and, in general, all French citizens in China, shall always and everywhere have the right to most-favored-nation treatment.

ARTICLE XXVIII

The publication of a suitable and regular tariff removes henceforth all pretext for contraband, so it may no longer be supposed that any acts of this nature will be committed by French commercial ships in the ports of China. If it be otherwise, all merchandise smuggled by French vessels or merchants in these ports, whatever their value or nature, as well as any forbidden commodity illegally brought in, shall be seized by the local authority and confiscated in behalf of the Chinese Government. And, if it is so wished, the ship caught in the act may be barred entry from China and sent away as soon as its accounts are audited.

If a vessel fraudulently flies the French flag, the French Government will take the necessary measures to end such abuse.

ARTICLE XXIX

His Majesty the Emperor of the French may station a warship in the principal ports of the Empire where its presence is judged necessary to keep good order and discipline among the crews of merchant ships and to facilitate the exercise of Consular authority. All the required measures will be taken to prevent the presence of these warships from causing any inconvenience, and their commanders will be ordered to execute the terms of Article

XXXIII, concerning communications with the land and the policing of crews. Warships shall not be subject to any duty.

ARTICLE XXX

All French warships cruising for the protection of trade shall be received as friendly and treated as such in all Chinese ports where they call. These vessels may procure the various replacement and provisioning goods they need, and if there has been damage, repair these, buying the necessary materials without any hindrance.

The same applies to French merchant ships which, because of major damage or any other cause, have been forced to seek refuge in whatever Chinese port.

Should one of these ships get wrecked on the coast, the nearest Chinese authority, once informed, shall immediately bring help to the crew, provide first aid and take the necessary emergency measures to save the vessel and its merchandise. Following this, the authority will bring the whole thing to the attention of the Consul or Consular Agent nearest the disaster, who will then, in concert with the competent authority, find ways of sending the crew home and saving the remains of the ship and cargo.

ARTICLE XXXI

If China hereafter enters into war with another Power, this circumstance shall not in any way harm the free trade of France with China, nor trade between France and the enemy nation. French vessels shall always, save in the case of a real blockade, move without hindrance from the ports of one to the ports of the other, trading as usual and importing and exporting all manner of non-prohibited goods.

ARTICLE XXXII

If sailors or other individuals desert warships or French merchant vessels, the Chinese authorities, when requested to do so by the Consul or, in his absence, by the captain, shall do all they can to find and bring back the deserters or fugitives.

Similarly, if Chinese deserters or those accused of whatever crime take refuge in French houses or on French-owned vessels, the local authorities shall address the Consul who, on evidence of the guilt of these accused, will immediately take the necessary measures to effect their extradition. Both sides shall strictly avoid any hiding or connivance.

ARTICLE XXXIII

When sailors come ashore, they will come under special disciplinary rules to be drawn up by the Consul and sent to the local authorities, so as to prevent, insofar as possible, all occasion for quarrel between the French sailors and the countryfolk.

ARTICLE XXXIV

If French merchantmen are attacked or robbed by pirates in waters under Chinese jurisdiction, the civil and military authorities closest to the spot shall act, as soon as this comes to their attention, to actively pursue the authors and not fail to do anything to see

them arrested and punished in accordance with the law. Goods stolen, wherever taken and however damaged, shall be given over entirely into the hands of the Consul, who is charged with returning them to their owners. If the guilty cannot be found, and the goods not fully recovered, the Chinese functionaries will undergo the punishment inflicted by law in such cases, but not be held pecuniarily responsible.

ARTICLE XXXV

When a Frenchman has a complaint or a formal claim against a Chinese, he shall first lay out his case to the consul who, after examining the affair, shall try to arrange things on an amiable basis. Similarly, when a Chinese has a grievance against a Frenchman, the Consul shall listen to his claim with concern and shall try to manage an amiable arrangement. But if, in either case, this should prove impossible, the consul shall seek the help of the competent Chinese functionary, and together they shall investigate the matter and resolve it equitably.

ARTICLE XXXVI

If, hereafter, French citizens suffer harm or are the object of insult or annoyance on the part of Chinese subjects, these will be pursued by the local authorities and the necessary measures taken to protect the French. Even more important, if some evildoers or misled part of the population tries to pillage, destroy or burn the houses or storerooms of the French, or any other establishment built by them, the same authorities, whether with the urging of the Consul or of their own volition, shall quickly dispatch armed force to break up the riot, seize the culpable and subject them to the full severity of the laws; all without prejudice to lawsuits for indemnification which might be exercised by those suffering harm.

ARTICLE XXXVII

If Chinese, in the future, become debtors of captains or French merchants, and cause them loss through fraud or other means, they will no longer be bound by the collective as under the old state of affairs; they may now address themselves, through their Consuls, to the local authorities, who shall spare nothing, after having investigated the matter, to constrain the debtors to pay up, under the laws of the land. But if the debtor cannot be found, had died, or is without money to pay, the French merchants may not require the Chinese authorities to pay.

In the case of fraud or non-payment on the part of French merchants, the Consul will similarly assist the creditors, but in the same way, in no case can he or his Government be held responsible.

ARTICLE XXXVIII

If, unfortunately, a scuffle or brawl should break out between French and Chinese, as, also, if one or several persons should be killed or injured in the course of a similar quarrel, by gunshots or otherwise, the Chinese shall be arrested by the Chinese authorities, who are charged with their trial and punishment, on the spot, in conformance with the law. As for the French, they will be arrested through the Consul's efforts, and he will take all

measures necessary to submit them to the rigors of French law in a form and by rules which the French Government will later draw up.

This will also be true in all cases of the same kind not foreseen by the present Convention, the principle being that for the repression of crimes and offences committed by them in China, the French will be continually under French law.

ARTICLE XXXIX

French in China shall also, for all difficulties and suits that may rise among them, be under French jurisdiction. In the case of disputes between French and foreigners, it is expressly stipulated that the Chinese authority is not to get involved. Nor shall it exercise any action aboard French vessels. These vessels are solely under French authority and their captain.

ARTICLE XL

If in future the Government of His Majesty the Emperor of the French should deem it must make changes to some of the clauses of the present Treaty, it shall feel free to open up talks with the Chinese Government for this, after an interval of twelve years has passed since the exchange of the ratifications. It is also agreed that any obligation not expressly stated in this Convention shall not be imposed on the Consuls or Consular Agents or on their nationals, while at the same time, as has been stipulated, French people shall enjoy all rights, privileges, immunities and guarantees accorded to other Powers by the Chinese Government.

ARTICLE XLI

His Majesty the French Emperor, desirous of proving his good sentiments to His Majesty the Emperor of China, agrees to a set of separate Articles which bear the same force as if they were word for word inserted in the present Treaty, covering the arrangements agreed to between the two Governments on the subject of questions predating the events in Canton and the costs which those occasioned for the Government of His Majesty the Emperor of the French.

ARTICLE XLII

The Ratifications of this Treaty of Friendship, Commerce and Navigation shall be exchanged in Beijing within one year of signature, or earlier if possible, by His Majesty the Emperor of the French and His Majesty the Emperor of China

After the exchange of Ratifications, the Treaty will be brought to the attention of all the senior authorities of the Empire in the provinces and in the capital, in order that it may be given full publicity.

In token whereof, the respective Plenipotentiaries have signed and affixed their seals:

Done at Tianjin in four copies this 27th Day of June in the Year of Grace 1858, corresponding to the 17th Day of the Fifth Mon of the Eighth Year of Xian Feng.

[L.S.] (Signed) B^{ON} GROS.

SEPARATE ARTICLES

to serve as a complement to the Treaty reached between His Majesty the Emperor of the French and His Majesty the Emperor of China at Tianjin, in the province of Zhili,

June 27, 1858.

ARTICLE I

The Magistrate of Xilin County, guilty of the murder of the French missionary Auguste Chapdelaine, will be downgraded and declared unfit to hold any post.

ARTICLE II

An official message to His Excellency the French Minister in China will inform him that this measure has been carried out, and will be published and explained in the Beijing Gazette.

ARTICLE III

An indemnity will be paid to French citizens and those under French protection whose property was ransacked or burnt by the Canton populace, before the taking of that city by the allied troops of France and England.

ARTICLE IV

The costs occasioned by the considerable armaments necessitated by the obstinate refusal of Chinese authorities to pay France the reparations and indemnities which She demanded, will be paid from the coffers of the Canton City Customs to the Government of His Majesty the Emperor of the French.

These indemnities and armament costs amount to a sum of about two million Taels (2,000,000); this sum will be paid in its entirety into the hands of the French Minister in China, who will give a receipt. This sum of two million Taels will be paid to His Excellency the French Minister in France by sixths, year by year for six years, from the treasury of the Canton Customs, with payment being made either in currency or in customs bonds, which will be received by that administration in payment of import and export duties up to a tenth of the amount owing, which is to say, if a merchant owes the Canton Customs

a sum of ten thousand taels, for example, for import or export duties, he may pay nine thousand in specie and one thousand in these bonds.

The first sixth will be paid within a year following the signing of this Treaty, day for day.

The Canton Customs may, if it so wishes, receive annually in payment of duties only a sixth of the bonds issued, that is, to the amount of thirty-three thousand, three hundred and thirty-three taels, thirty-four cash.

A mixed Commission, named at Canton by the Chinese authorities and the French Minister shall fix in advance the mode of issuing of the bonds and the rules governing their form, value and means of destruction after use.

ARTICLE V

The evacuation from Canton of French troops will take place as soon as possible after the full payment of the two million taels stipulated above, but, to hasten the withdrawal of these troops, the customs bonds may be issued in advance in a six-year series and deposited in the Chancellery of the French Legation in China.

ARTICLE VI

The above Articles will have the same force and value as if they were word-for-word in the Treaty of which they are a part, and the respective Plenipotentiaries have signed and affixed their seals.

Done at Tianjin in four copies on the Twenty-Seventh Day of the Month of June in the Year of Grace One Thousand Eight Hundred and Fifty-Eight, corresponding to the Seventeenth Day of the Fifth Moon in the Eighth Year of Xian Feng.

[L.S.] (Signed) B^{ON} GROS.

TREATY OF TIENTSIN

WE HAVE EXAMINED the said Treaty and Separate Articles and have approved them and We Declare that they are accepted, ratified and confirmed and Promise that they will be observed without violation, in Testimony of which We have given the present, signed by Our Own Hand and Sealed with Our Imperial Seal.

Paris, December 15, 1858

(Signed) NAPOLEON

(By the Emperor)

A. Walewski

TREATY OF 1858: CERTIFICATE OF EXCHANGE

On the twenty-fifth of October Eighteen Hundred and Sixty, the High Commissioners of the Empires of France and China, mandated with full powers, found to be in full and proper form, namely:

For the Empire of France, His Excellency BARON GROS, Senator of the Empire and Ambassador Extraordinary of His Majesty the Emperor of the French in China, Grand Officer of the Legion of Honor, Knight of the Grand Cross of several orders, etc., etc., etc.;

And for the Empire of China, Prince GONG, member of the imperial family and High Commissioner;

Who have met at the ___[Li Bu]___ Palace in Beijing to proceed with the exchange of ratifications of the Treaty of Peace, Friendship and Commerce signed at Tianjin on the twenty-seventh of June, eighteen fifty-eight, having with them the secretaries and translators of both nations, and His Excellency the High Commissioner of France placed in the hands of His Imperial Highness Prince Gong the original instrument of the Treaty of Tianjin transcribed in the two languages and bearing the grand seal of state of the French Empire and the signature of His Majesty the Emperor of the French, who declares therein that all the clauses of the said Treaty are ratified and will be faithfully carried out.

His Imperial Highness, having received the Treaty thus ratified, in turn handed over to His Excellency the High Commissioner of France one of the copies of the same Treaty, approved and ratified with the red brush by His Majesty the Emperor of China;

And the exchange of ratifications of the Treaty signed at Tianjin in eighteen fifty-eight having taken place, the two Imperial High Commissioners have signed the present minute written by their respective secretaries, and have affixed to it the seals of their arms.

Done in duplicate in the Palace of the Li Bu at Beijing on October twenty-fifth, eighteen sixty.

[L.S.] (Signed) B^{ON} GROS.

Chinese Seal

Signature of the Chinese High Commissioner