

*FRANCE*

TREATY OF PEACE, FRIENDSHIP AND COMMERCE BETWEEN FRANCE AND  
CHINA [1885]

The President of the Republic of France and His Majesty the Emperor of China, both moved by equal desire to bring to an end the difficulties arising from their simultaneous intervention in Annam and wishing to reestablish and further the longstanding relations of friendship and commerce which have existed between France and China, have resolved to conclude a new Treaty corresponding to the common interests of the two nations, taking as its basis the preliminary Convention signed at Tientsin on the 11th of May 1884 and ratified by imperial decree on the 13th of April 1885.

To this end the two High Contracting Parties have named for their Plenipotentiaries, namely:

The President of the Republic of France, M. JULES PATENOTRE, Ambassador Extraordinary and Minister Plenipotentiary of France in China, Officer of the Legion of Honor, Grand Order of the Polaris Cross of Sweden, etc., etc., etc.;

And His Majesty the Emperor of China, LI HONG-TCHANG, Imperial Commissioner, First Great Secretary of State, honorary Great Tutor to the Imperial Heir, Superintendent of Commerce of the Northern Ports, Governor-General of the province of Chihli, belonging to the third rank, first degree of nobility, with the title Sou-yi;

Assisted by:

SI TCHEN, Imperial Commissioner, Member of the Council of Foreign Affairs, President of the Ministry of Justice, Administrator of the Treasury of the Ministry of Finance, Director of the School for the education of the hereditary officers of the left flank of the Manchu army at Peking, Commander-in-Chief of the bordered yellow Chinese banner troops;

And by:

TENG TCH'ENG SIEOU, Imperial Commissioner, Member of the Council of Foreign Affairs, Director of the Court of State Ceremonial;

Who, after having communicated their full powers, found to be in good and due form, have agreed on the following Articles:—

## ARTICLE I.

France undertakes to reestablish and maintain order in the provinces of Annam adjoining the Empire of China. To this end, it will take the necessary measures to disperse or expel the bands of pillagers and vagabonds which have jeopardized public tranquillity and to prevent their reappearance. However, French troops will never, in any case, cross the frontier which separates Tonkin from China, a frontier which France promises to respect and guarantee against all aggression.

For its part, China undertakes to disperse or expel the bands which have taken refuge in its provinces bordering Tonkin and to disperse those who attempt to gather in its territory in order to make trouble among the populations placed under French protection, and, in consideration of the guarantees which have been made for the security of the frontier, to likewise stop sending troops to Tonkin. The High Contracting Parties will fix, by a special Convention, conditions for implementing the extradition of troublemakers between China and Annam.

Chinese, settlers or soldiers, who live peaceably in Annam, engaging in agriculture, industry or commerce and whose conduct gives no cause for reproach, shall enjoy, both in their persons and property, the same security as French dependents.

## ARTICLE II.

China, resolved not to do anything that would jeopardize the pacification effort of France, undertakes to respect, both now and in the future, the treaties, conventions and arrangements directly between or to be between France and Annam.

In matters which concern the relations between China and Annam, it is agreed that nothing shall be allowed which would impair the dignity of the Chinese Empire or violate the present Treaty.

## ARTICLE III.

Six months after the signing of the present Treaty, Commissioners designated by the High Contracting Parties will make an on-the-spot survey of the frontier between China and Tonkin. They will lay down, everywhere or where necessary, markers aimed at making clear the line of demarcation. In cases where they are unable to reach agreement on placement of the markers or on detailed adjustments which need to be made to the existing frontier of Tonkin, in the common interest of the two countries, they will refer to their respective Governments.

## ARTICLE IV.

Once the frontier has been surveyed, French or French dependents and foreigners resident in Tonkin, who wish to cross into China, must first be provided with visas issued by the Chinese authorities upon request by the French authorities. Chinese subjects need only authorization given by the imperial authorities on the frontier.

Chinese subjects who wish to go from China to Tonkin by land routes require regular passports issued by the French authorities upon request by the imperial authorities.

ARTICLE V.

French merchants and dependents and Chinese merchants will be permitted to carry on import and export commerce on the land frontier between China and Tonkin. Such commerce will all be carried on at certain points, the number and choice of which will ultimately be determined in accordance with the development and importance of trade between the two countries. It will take into account the regulations in force in the interior of the Chinese Empire.

For all legal affairs, two of these points will be designated on the Chinese frontier, one at Lao-Kai and the other at Lang Son. French merchants will be treated here in the same manner as in all the ports open to foreign commerce. The Government of the Emperor of China will establish Customs and that of the French Republic will maintain Consuls, whose prerogatives and jurisdiction will be identical to those of its agents in the open ports.

For his part, the Emperor of China, with the agreement of the French Government, will name Consuls in the principal towns of Tonkin.

ARTICLE VI.

A special regulation annexed to the present Treaty will detail the conditions which are to govern the land commerce between Tonkin and the Chinese provinces of Yun-nan, Kouang-si and Kouang-tong. This regulation will be worked out by commissioners named by the High Contracting Parties within three months after the signing of the present Treaty.

The goods which are the object of commerce, upon entering and leaving, between Tonkin and the provinces of Yun-nan and Kouang-si, will be subject to the lower duties stipulated in the current foreign commercial tariff. However, the reduced tariff will not apply to goods transported via the land frontier between Tonkin and Kouang-tong and will not have effect in the ports already opened by treaty.

Trade in military arms, equipment, supplies and ammunition of any kind will be subject to the laws and decrees of each of the contracting states in its territories.

The export and import of opium will be governed by the special arrangements appearing in the above-mentioned special regulation.

Maritime commerce between China and Annam will also be the object of special regulation. Temporarily, there will be no change from existing practices.

## ARTICLE VII.

In pursuit of the development of more advantageous conditions in the commercial relations and good neighbourliness which the present Treaty has as its object to establish between France and China, the Government of the Republic will construct roads in Tonkin and will encourage the building of railroads.

When, for its part, China decides to build railways, it is understood that it will turn to French industry, and the Government of the Republic will provide every facility to obtain in France the personnel it requires. It is also understood that this clause will not be considered as constituting an exclusive privilege in French favour.

## ARTICLE VIII.

The commercial stipulations of the present Treaty and the regulations to be determined may be revised after the passage of ten years from the day of the exchange of ratifications of the present Treaty.

But in the case where, six months before it expires, neither of the two High Contracting Parties shall have indicated their desire to proceed with the revision, the commercial stipulations will remain in effect for a further ten-year period.

## ARTICLE IX.

When the present Treaty has been signed, the French forces will be ordered to retire from Kilong and to cease their boarding and so on at sea. One month after the signing of the present Treaty, French troops will be entirely evacuated from Formosa and the Pescadores.

## ARTICLE X.

The arrangements in the existing treaties, agreements and conventions between France and China, are not modified by the present Treaty, and remain in full effect.

The present Treaty will be ratified through approval by the Emperor of China, and, after having been ratified by the President of the Republic of France, the exchange of ratifications will take place at Beijing with the least possible delay.

Done at Tientsin, in four copies, on the ninth of June, one thousand eight hundred and eighty-five, corresponding to the twenty-seventh day, fourth month of the eleventh year of KOUANG SIU.

(SIGNED) PATENOTRE [L.S.]

Signatures of the three Chinese negotiators.  
[seal of Li Hong-tchang.]