

BRITAIN

CHUNGKING [CHONGQING] AGREEMENT, 1890: ADDITIONAL ARTICLE TO
THE AGREEMENT BETWEEN GREAT BRITAIN AND CHINA OF 13TH
SEPTEMBER 1876

(Signed at Peking, 31st March 1890.
Ratifications exchanged at Peking, 18th January 1891.)

VICTORIA, by the Grace of God, of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, Empress of India, &c., &c., &c., To all and singular to whom these Presents shall come, Greeting! Whereas an Additional Article between Us and His Majesty the Emperor of China was concluded and signed at Peking on the 31st day of March in the Year of Our Lord one thousand eight hundred and ninety by the Plenipotentiaries of Us and of His said Imperial Majesty, duly and respectively authorized for that purpose, which Additional Article is, word for word, as follows: —

THE Governments of Great Britain and China, being desirous of settling in an amicable spirit the divergence of opinion which has arisen with respect to the first clause of the third section of the Agreement concluded at Chefoo in 1876, which stipulates that “The British Government will be free to send officers to reside at Chungking to watch the conditions of British trade in Szechuen, that British merchants will not be allowed to reside at Chungking, or to open establishments or warehouses there, so long as no steamers have access to the port, and that when steamers have succeeded in ascending the river so far, further arrangements can be taken into consideration,” have agreed upon the following Additional Article: —

I. Chungking shall forthwith be declared open to trade on the same footing as any other Treaty port. British subjects shall be at liberty either to charter Chinese vessels or to provide vessels of the Chinese type for the traffic between Ichang and Chungking.

II. Merchandize conveyed between Ichang and Chungking by the above class of vessels shall be placed on the same footing as merchandize carried by steamers between Shanghai and Ichang, and shall be dealt with in accordance with Treaty, Tariff Rules, and the Yangtze Regulations.

III. All Regulations as to the papers and flags to be carried by vessels of the above description, as to the cargo certificates with which they shall be provided, as to the repackaging of goods for the voyage beyond Ichang, and as to the general procedure to be observed by those engaged in the traffic between Ichang and Chungking with a view to insuring convenience and security, shall be drawn up by the Superintendent of Customs at Ichang, the Taotai of the Ch’uan Tung Circuit, who is now stationed at Chungking, and the

Commissioner of Customs in consultation with the British Consul, and shall be liable to any modifications that may hereafter prove to be desirable and may be agreed upon by common consent.

IV. Chartered junks shall pay port dues at Ichang and Chungking in accordance with the Yangtze Regulations; vessels of Chinese type, if and when entitled to carry the British flag, shall pay tonnage dues in accordance with Treaty Regulations. It is obligatory on both chartered junks and also vessels of Chinese type, even when the latter may be entitled to carry the British flag, to take out at the Maritime Custom-house special papers and a special flag when intended to be employed by British subjects in the transport of goods between Ichang and Chungking, and without such papers and flag no vessel of either class shall be allowed the privileges and immunities granted under this Additional Article. Provided with special papers and flag, vessels of both classes shall be allowed to ply between the two ports, and they and their cargoes shall be dealt with in accordance with Treaty Rules and the Yangtze Regulations. All other vessels shall be dealt with by the Native Customs. The special papers and flag issued by the Maritime Customs must alone be used by the particular vessel for which they were originally issued, and are not transferable from one vessel to another. The use of the British flag by vessels the property of Chinese is strictly prohibited. Infringement of these Regulations will, in the first instance, render the offender liable to the penalties in force at the ports hitherto opened under Treaty, and should the offence be subsequently repeated, the vessel's special papers and flag will be withdrawn, and the vessel herself refused permission thenceforward to trade between Ichang and Chungking.

V. When once Chinese steamers carrying cargo run to Chungking, British steamers shall in like manner have access to the said port.

VI. It is agreed that the present Additional Article shall be considered as forming part of the Chefoo Agreement, and as having the same force and validity as if it were inserted therein word for word. It shall be ratified, and the ratifications exchanged at Peking, and it shall come into operation six months after its signature, provided the ratifications have then been exchanged, or if they have not, then on the date at which such exchange takes place.

Done at Peking in triplicate (three in English and three in Chinese), this thirty-first day of March, in the year of our Lord one thousand eight hundred and ninety, being the eleventh day of the Second Intercalary Moon of the sixteenth year of KUANG HSÜ.

[L.S.] JOHN WALSHAM.

[L.S.] (SIGNATURES OF CHINESE PLENIPOTENTIARIES.)

We, having seen and considered the Additional Article 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 Article 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 the thirtieth day of June in the Year of Our Lord 1890, and in the 54th Year of Our Reign.

VICTORIA, R. I.

The Undersigned, Sir JOHN WALSHAM, Baronet, Her Britannick Majesty's Envoy Extraordinary and Minister Plenipotentiary to His Majesty the Emperor of China, His Highness Prince CH'ING, President of the Tsung-li Yamen, and His Excellency SUN, Minister of the Tsung-li Yamen, President of the Board of Punishments, having met together for the purpose of exchanging the Ratifications of the Additional Article to the Chefoo Agreement concluded and signed at Peking on the 31st of March, 1890; and the English and Chinese texts of the said Additional article reproduced in the respective Ratifications, — such Ratifications bearing on the part of Her Britannick Majesty the Royal Signature and the Great Seal of the United Kingdom of Great Britain and Ireland, and on the part of his Chinese Majesty the Great Seal of the Empire alone in conformity with Chinese usage, — having been carefully compared with the English and Chinese texts of the Original Instrument and found to be exactly conformable with each other, the Exchange of the Ratifications took place this day.

In Witness whereof they have signed the present Certificate of Exchange and have affixed thereto their Seals.

Done in duplicate (two in English and two in Chinese) at Peking the 18th day of January, 1891, corresponding with the Chinese date the 9th day of the 12th Moon of the Sixteenth Year of KUANG HSÜ.

L.S. (SIGNED) JOHN WALSHAM.

L.S. (SIGNATURES OF CHINESE PLENIPOTENTIARIES)