

SETTLEMENT OF MATTERS GROWING OUT OF THE BOXER UPRISING (BOXER PROTOCOL)

*Final protocol signed at Peking September 7, 1901, with annexes
Entered into force September 7, 1901*

*Provisions relating to Whangpoo Conservancy Board revised by agree-
ment of September 27, 1905,¹ as amended and supplemented*

*Termination: Article XI(b) and annex 17 suspended by agreement of
September 27, 1905; ¹ protocol terminated in its entirety as between
the United States and China May 20, 1943, by treaty of
January 11, 1943 ²*

Treaty Series 397

FINAL PROTOCOL

[TRANSLATION]

The Plenipotentiaries of Germany, His Excellency M. A. Mumm von Schwarzenstein; of Austria-Hungary, His Excellency M. M. Czikan von Wahlborn; of Belgium, His Excellency M. Joostens; of Spain, M. B. J. de Cologan; of the United States, His Excellency Mr. W. W. Rockhill; of France, His Excellency M. Paul Beau; of Great Britain, His Excellency Sir Ernest Satow; of Italy, Marquis Salvago Raggi; of Japan, His Excellency M. Jutaro Komura; of the Netherlands, His Excellency M. F. M. Knobel; of Russia, His Excellency M. M. de Giers; and of China, His Highness Yi-K'uang, Prince of the First Rank Ching, President of the Ministry of Foreign Affairs, and His Excellency Li Hung-chang, Earl of the First Rank, Su-i, Tutor of the Heir Apparent, Grand Secretary of the Wen-nua Throne Hall, Minister of Commerce, Superintendent of the Northern Ports, Governor-General of Chihli, have met for the purpose of declaring that China has complied to the satisfaction of the Powers with the conditions laid down in the note of the 22d of December, 1900,³ which were accepted in their entirety by His Majesty the Emperor of China in a decree dated the 27th of December, 1900 (Annex No. 1).

¹ TS 448, *post*, p. 446.

² TS 984, *post*.

³ For English translation of the joint note of the 11 powers, together with Chinese reply of Jan. 16, 1901, and subsequent correspondence, see 1901 For. Rel. (appendix) 58 ff.

ARTICLE I^a

By an Imperial Edict of the 9th of June last (Annex No. 2), Tsai Feng, Prince of the First Rank Ch'ün, was appointed Ambassador of His Majesty the Emperor of China, and directed in that capacity to convey to His Majesty the German Emperor the expression of the regrets of His Majesty the Emperor of China and of the Chinese Government for the assassination of His Excellency the late Baron von Ketteler, German Minister.

Prince Ch'ün left Peking the 12th of July last to carry out the orders which had been given him.

ARTICLE I^b

The Chinese Government has stated that it will erect on the spot of the assassination of His Excellency the late Baron von Ketteler a commemorative monument, worthy of the rank of the deceased, and bearing an inscription in the Latin, German, and Chinese languages, which shall express the regrets of His Majesty the Emperor of China for the murder committed.

Their Excellencies the Chinese Plenipotentiaries have informed His Excellency the German Plenipotentiary, in a letter dated the 22nd of July last (Annex No. 3), that an arch of the whole width of the street would be erected on the said spot and that work on it was begun the 25th of June last.

ARTICLE II^a

Imperial Edicts of the 13th and 21st of February, 1901 (Annexes Nos. 4, 5, and 6), inflicted the following punishments on the principal authors of the outrages and crimes committed against the foreign Governments and their nationals:

Tsai-I, Prince Tuan and Tsai Lan, Duke Fu-kuo, were sentenced to be brought before the autumn Court of Assizes for execution, and it was agreed that if the Emperor saw fit to grant them their lives, they should be exiled to Turkestan and there imprisoned for life, without the possibility of commutation of this punishment.

Tsai Hsiün, Prince Chuang, Ying Nien, President of the Court of Censors, and Chao Shu-Chiao, President of the Board of Punishments, were condemned to commit suicide.

Yü Hsien, Governor of Shanhsi, Chi Hsiu, President of the Board of Rites, and Hsü Cheng-yu, formerly Senior Vice-President of the Board of Punishments, were condemned to death.

Posthumous degradation was inflicted on Kang Yi, Assistant Grand Secretary, President of the Board of Works, Hsü Tung, Grand Secretary, and Li Ping-heng, former Governor-General of Szu-ch'uan.

An Imperial Edict of February 13th, 1901 (Annex No. 7), rehabilitated the memories of Hsü Yung-yi, President of the Board of War, Li Shan, President of the Board of Works, Hsü Ching-cheng, Senior Vice-President of the Board of Works, Lien Yuan, Vice-Chancellor of the Grand Council,

and Yuan Chang, Vice-President of the Court of Sacrifices, who had been put to death for having protested against the outrageous breaches of international law of last year.

Prince Chuang committed suicide the 21st of February, 1901, Ying Nien and Chao Shu-chiao the 24th, Yü Hsien was executed the 22nd, Chi Hsiu and Hsü Cheng-yu on the 26th. Tung Fuhsiang, General in Kan-su, has been deprived of his office by Imperial Edict of the 13th of February, 1901, pending the determination of the final punishment to be inflicted on him.

Imperial Edicts dated the 29th of April and 19th of August, 1901, have inflicted proportional punishments on the provincial officials convicted of the crimes and outrages of last summer.

ARTICLE II^b

An Imperial Edict promulgated the 19th of August, 1901 (Annex No. 8), ordered the suspension of official examinations for five years in all cities where foreigners were massacred or subjected to cruel treatment.

ARTICLE III

In order to make honorable reparation for the assassination of Mr. Sugiyama, chancellor of the Japanese Legation, His Majesty the Emperor of China by an Imperial Edict of the 18th of June, 1901 (Annex No. 9), appointed Na Tung, Vice-President of the Board of Revenue to be his Envoy Extraordinary, and specially directed him to convey to His Majesty the Emperor of Japan the expression of the regrets of His Majesty the Emperor of China and of his Government at the assassination of the late Mr. Sugiyama.

ARTICLE IV

The Chinese Government has agreed to erect an expiatory monument in each of the foreign or international cemeteries which were desecrated and in which the tombs were destroyed.

It has been agreed with the Representatives of the Powers that the legations interested shall settle the details for the erection of these monuments, China bearing all the expenses thereof, estimated at ten thousand taels for the cemeteries at Peking and within its neighborhood, and at five thousand taels for the cemeteries in the provinces. The amounts have been paid and the list of these cemeteries is enclosed herewith (Annex No. 10).

ARTICLE V

China has agreed to prohibit the importation into its territory of arms and ammunition, as well as of materials exclusively used for the manufacture of arms and ammunition.

An Imperial Edict has been issued on the 25th of August, 1901 (Annex No. 11), forbidding said importation for a term of two years. New Edicts

may be issued subsequently extending this by other successive terms of two years in case of necessity recognized by the Powers.

ARTICLE VI

By an Imperial Edict dated the 29th of May, 1901 (Annex No. 12), His Majesty the Emperor of China agreed to pay the Powers an indemnity of four hundred and fifty million Haikwan Taels. This sum represents the total amount of the indemnities for States, companies or societies, private individuals, and Chinese referred to in Article VI of the note of December 22nd, 1900.

(a) These four hundred and fifty millions constitute a gold debt calculated at the rate of the Haikwan Tael to the gold currency of each country, as indicated below:

1 Haikwan Tael=	Marks	3. 055
=	Austro-Hungarian Crowns	3. 595
=	gold Dollar	0. 742
=	Francs	3. 750
=	Pound Sterling	0 3s. 0d.
=	Yen	1. 407
=	Netherlands Florin	1. 796
=	gold Ruble (17.424 dolias fine)	1. 412

This sum in gold will bear interest at 4 per cent per annum, and the capital shall be reimbursed by China in thirty-nine years in the manner indicated in the annexed plan of amortization (Annex No. 13).

Capital and interest will be payable in gold or at the rates of exchange prevailing on the dates at which the different payments fall due.

The amortization will begin on the 1st of January, 1902, and will end at the close of the year 1940. The amortizations are payable annually, the first payment being fixed on the 1st of January, 1903.

Interest will run from the 1st of July, 1901; but the Chinese Government shall have the right to pay off within a term of three years, beginning January 1, 1902, the arrears of the first six months, ending the 31st of December, 1901, on condition, however, that it pay compound interest at the rate of 4 per cent per annum on the sums the payments of which shall have thus been deferred. Interest shall be payable semiannually, the first payment being due on the 1st of July, 1902.

(b) The service of the debt will be effected at Shanghai, in the following manner:

Each Power will be represented by a delegate on a commission of bankers authorized to receive the amount of interest and amortization which shall be paid to it by the Chinese authorities designated for that purpose, to divide it among the interested parties, and to give a receipt for the same.

(c) The Chinese Government shall deliver to the Dean of the Diplomatic Corps at Peking a bond for the lump sum, which will subsequently be converted into fractional bonds bearing the signatures of the delegates of the

Chinese Government designated for that purpose. This operation and all those relating to the issue of the bonds will be performed by the above-mentioned Commission, in accordance with the instructions which the Powers shall send their delegates.

(d) The proceeds of the revenues assigned to the payment of the bonds shall be paid monthly to the Commission.

(e) The revenues assigned as security for the bonds are the following:

1. The balance of the revenues of the Imperial Maritime Customs, after payment of the interest and amortization of preceding loans secured on these revenues, plus the proceeds of the increase to five per cent effective of the present tariff on maritime imports, including articles hitherto on the free list, with the exception of rice, cereals, and flour of foreign origin, as well as of gold and silver, minted or unminted.

2. The revenues of the native customs, administered in the open ports by the Imperial Maritime Customs.

3. The total revenues of the gabelle [salt tax], exclusive of the fraction previously set aside for other foreign loans.

The raising of the present tariff on imports to five per cent effective is agreed to on the conditions mentioned below.

It will be put in force two months after the signing of the present protocol, and no exceptions shall be made save for merchandise shipped not more than ten days after that date.

1°. All duties on imports levied *ad valorem* shall be converted as far as possible and as soon as may be into specific duties. This conversion will be made in the following manner: The average value of merchandise at the time of its unloading during the three years 1897, 1898, and 1899, that is to say, the market price less the amount of import duties and incidental expenses, shall be taken as the basis for the valuation of merchandise. Pending the result of the work of conversion, duties shall be levied *ad valorem*.

2°. The beds of the rivers Peiho and Whangpu will be improved with the financial participation of China.

ARTICLE VII

The Chinese Government has agreed that the quarter occupied by the legations shall be considered as one specially reserved for their use and placed under their exclusive control, in which Chinese shall not have the right to reside and which may be made defensible.

The limits of this quarter have been fixed as follows on the annexed plan (Annex No. 14):

On the west, the line 1, 2, 3, 4, 5.

On the north, the line 5, 6, 7, 8, 9, 10.

On the east, Ketteler Street: 10, 11, 12.

On the south, the line 12-1, drawn along the outer base of the Tartar wall, taking in the bastions.

In the protocol annexed to the letter of the 16th of January, 1901,⁴ China recognized the right of each Power to maintain a permanent guard in the said quarter for the defense of its legation.

ARTICLE VIII

The Chinese Government has consented to raze the forts of Taku and those which might impede free communication between Peking and the sea. Steps have been taken for carrying this out.

ARTICLE IX

The Chinese Government has conceded to the Powers, in the protocol annexed to the letter of the 16th of January, 1901, the right to occupy certain points, to be determined by an agreement between them, for the maintenance of open communication between the capital and the sea. The points occupied by the Powers are:

Huang-tsun, Lang-fang, Yang-tsun, Tientsin, Chum-liang, Ch'eng, Tangku, Lu-tai, Tang-shan, Lan-chou, Chang-li, Ch'in-wang tao, Shan-hai kuan.

ARTICLE X

The Chinese Government has agreed to post and to publish for two years in all district cities the following Imperial Edicts:

(a) Edict of the 1st of February, 1901 (Annex No. 15), prohibiting forever, under pain of death, membership in any anti-foreign society.

(b) Edicts of the 13 and 25 February, 29 April and 19 August enumerating the punishments inflicted on the guilty.

(c) Edict of the 19th August, 1901, prohibiting examinations in all cities where foreigners were massacred or subjected to cruel treatment.

(d) Edict of the 1st of February, 1901 (Annex No. 16), declaring all governors-general, governors, and provincial or local officials responsible for order in their respective districts, and that in case of new anti-foreign troubles or other infractions of the treaties which shall not be immediately repressed and the authors of which shall not have been punished, these officials shall be immediately dismissed, without possibility of being given new functions or new honors.

The posting of these edicts is taking place progressively throughout the Empire.

ARTICLE XI

The Chinese Government has undertaken to negotiate such amendments to the treaties of commerce and navigation as the foreign Governments have considered desirable, as well as other points bearing on commercial relations, with the object of facilitating these.

⁴ See footnote 3, p. 302.

At present, and as a result of the stipulations contained in Article VI concerning the indemnity, the Chinese Government agrees to assist in the improvement of the courses of the rivers Peiho and Whangpu, as stated below.

(a) The works for the improvement of navigation in the Peiho, begun in 1898 with the cooperation of the Chinese Government, have been resumed under the direction of an international Commission. As soon as the administration of Tientsin shall have been handed back to the Chinese Government, the latter will be able to have a representative on this Commission, and will pay each year a sum of sixty thousand Haikwan Taels for continuing the works.

(b) A River Board, charged with the management and control of the work of straightening the Whangpu and improving the course of that river, is hereby created.

This Board shall consist of members representing the interests of the Chinese Government and those of foreigners in the shipping trade of Shanghai. The expense to be incurred for the works and the general management of the undertaking is estimated at the annual sum of four hundred and sixty thousand Haikwan Taels for the first twenty years. This sum will be supplied in equal portions by the Chinese Government and the foreign interests concerned. Detailed stipulations concerning the composition, duties, and revenues of the River Board are embodied in Annex No. 17.

ARTICLE XII

An Imperial Edict of the 24th of July, 1901 (Annex No. 18), reorganized the Office of Foreign Affairs, (Tsungli Yamen), on the lines indicated by the Powers, that is to say, transformed it into a Ministry of Foreign Affairs (Wai-wu Pu), which takes precedence over the six other Ministries of State. The same Edict appointed the principal members of this Ministry.

An agreement has also been reached concerning the modification of Court ceremonial as regards the reception of foreign Representatives and has been the subject of several notes from the Chinese Plenipotentiaries, the substance of which is embodied in a memorandum herewith annexed (Annex No. 19).

Finally, it is expressly understood that as regards the declarations above set forth and the annexed documents emanating from the foreign Plenipotentiaries, the French text alone is authoritative.

The Chinese Government having thus complied to the satisfaction of the Powers with the conditions laid down in the above-mentioned note of December 22nd, 1900, the Powers have acceded to the wish of China to terminate the situation created by the disorders of the summer of 1900. The foreign Plenipotentiaries are therefore authorized to declare in the names of their Governments that, with the exception of the legation guards mentioned in Article VII, the international troops will completely evacuate the city of Peking, on the 17th September, 1901, and, with the exception of the localities

mentioned in Article IX, will withdraw from the province of Chihli on the 22d of September.

The present final Protocol has been drawn up in twelve identic copies and signed by all the Plenipotentiaries of the Contracting Countries. One copy will be given to each of the foreign Plenipotentiaries, and one copy will be given to the Chinese Plenipotentiaries.

Peking, 7th September, 1901.

[For Germany:] A v MUMM	[SEAL]	[For the United Kingdom:] ERNEST SATOW	[SEAL]
[For Austria-Hungary:] M. CZIKANN	[SEAL]	[For Italy:] SALVAGO RAGGI	[SEAL]
[For Belgium:] JOOSTENS	[SEAL]	[For Japan:] JUTARO KOMURA	[SEAL]
[For Spain:] B J DE COLOGAN	[SEAL]	[For the Netherlands:] F. M. KNOBEL	[SEAL]
[For the United States:] W. W. ROCKHILL	[SEAL]	[For Russia:] M. DE GIERS	[SEAL]
[For France:] BEAU	[SEAL]	[For China:] YI-K'UANG LI HUNG-CHANG	[SEAL]

ANNEXES TO THE FINAL PROTOCOL

[TRANSLATION]

- Nos. 1. Imperial Edict of 27 December 1900.
 2. Imperial Edict of 9 June 1901.
 3. Letter of the Chinese Plenipotentiaries of 22 July 1901.
 4. Imperial Edict of 13 February 1901.
 5. Imperial Edict of 13 February 1901.
 6. Imperial Edict of 21 February 1901.
 7. Imperial Edict of 13 February 1901.
 8. Imperial Edict of 19 August 1901.
 9. Imperial Edict of 18 June 1901.
 10. List of desecrated cemeteries.
 11. Imperial Edict of 25 August 1901.
 12. Imperial Edict of 29 May 1901.
 13. Table of amortization.
 14. Plan of the diplomatic quarter and notice.
 15. Imperial Edict of 1st February 1901.
 16. Imperial Edict of 1st February 1901.
 17. Regulations for the improvement of the Whangpu.
 18. Imperial Edict of 24 July 1901.
 19. Memorandum concerning Court ceremonial.

ANNEX NO. 1

IMPERIAL EDICT of the 27th December, 1900

[TRANSLATION]

[Seal of the Emperor]

On the 6th day of the 11th moon of the 26th year of Kuang-hsü (27 December 1900), the following Edict was rendered:

"We have taken cognizance of the whole telegram of Yi-K'uang and Li Hung-chang. It is proper that We accept in their entirety the twelve articles which they have submitted to Us.

"Respect this!"

ANNEX NO. 2

IMPERIAL EDICT of the 9th of June, 1901

[TRANSLATION]

"We confer on Tsai Feng, Prince of the First Rank Ch'ün, the title of Ambassador Extraordinary, and We direct him to proceed to Germany to discharge respectfully the mission which We confide to him.

"Chang Yi, reader of the Grand Chancellery, and Yin Ch'ang, military Lieutenant-Governor, will accompany him as secretaries.

"Respect this!"

ANNEX NO. 3

Despatch of Prince Ching and of Li Hung-chang, of the 22nd July 1901, to His Excellency M. von Mumm, German Plenipotentiary

[TRANSLATION]

Official reply:

On the 3d day of the 5th moon of the present year (18th of June, 1901), We have received from Your Excellency the following official communication:

"Messrs. Jui-liang, secretary, and Lien-fang, expectant taotai, delegates entrusted with carrying out Article I of the Joint Note providing for the erection of a commemorative monument on the place of the assassination of Baron von Ketteler, former Minister of Germany, commenced some time ago the discussion of the subject with my Legation, and have taken up the question of the manner in which this monument shall be constructed.

"During frequent conversations they have stated that if it were necessary that a commemorative arch of marble from Ta-li, extending the whole width of the avenue of Ch'ung-wen-men, should be erected on the spot of the assassination, the work would require a great deal of time, in view of the difficulty of transporting the materials; but as to adopting some other means, either of transferring to the place of the assassination an archway

erected at the present time in some other spot, or of putting up a new arch, or of using an old archway to be transported to the place, they left this to the determination of my Government.

"I at once telegraphed my Government to inform me of its views.

"The reply which I have just received informs me that His Majesty the Emperor of Germany has himself decided that a new archway extending across the whole width of the street should be put up.

"I have therefore urgently to request that you take prompt steps for the immediate commencement of the work."

We, Prince and Minister, have at once directed the said secretary and tsaotai to act accordingly. According to the report which they have sent us, "the work was begun on the 10th day of the 5th moon (25th of June), at the foundations. But a certain length of time is necessary for getting out and cutting the stone and for the transportation of materials; and the only thing that can be done is to watch that the workmen use their best endeavors to carry the work on actively."

Besides having directed that We should be kept informed of the execution of the work, We deem it necessary to send the present official reply to Your Excellency, requesting you to take note of it.

ANNEX NO. 4

IMPERIAL EDICT of the 13th of February, 1901

[TRANSLATION]

Since the 5th moon (end of May) the Boxers have created trouble in the capital and have begun hostilities against friendly countries. Yi-K'ung and Li Hung-chang are negotiating for peace at Peking with Representatives of the Powers, and a whole preliminary arrangement has already been signed.

(If) We consider the commencement of these events, (we find that they are due) to several stupid, mad, utterly ignorant, turbulent Princes and Ministers who have trampled the laws under foot. They had most absolute confidence in pernicious methods and have involved the Court. Not only did they refuse to obey Our orders to exterminate the Boxers, but they have gone so far as to believe in them, and, stupidly, they began to attack (the Legations). So it was that this evil fire spread abroad, and circumstances did not permit of its being stopped, tens of millions of evil-doers having assembled under the elbow and the armpit (that is to say, at a most important point). Furthermore, the leaders forced generals and ignorant soldiers to attack the Legations, and so it befell that inconceivable evils persisted for several months.

The tutelary deities of the Empire have been in danger, the Imperial tombs and the temples of the Ancestors have trembled, the country has been devastated, the inhabitants are plunged in misery. No words can express the dangers to which We and H. M. the Empress Dowager have been exposed.

Our heart and our head are still in pain; our tears and our resentment are confounded. It is to you, Princes and Ministers, who, by believing in evil words and allowing evil-doers free hand, have put in danger in Heaven our Ancestors and our gods, and who here below have caused the people to endure these calamities. Do you ask what is the chastisement you deserve?

We have already issued two decrees. But, considering that such light punishments for such grievous faults could not be sufficient to make you expiate your crimes, We must impose upon you new and more severe punishments according to your degree of guilt.

TSAI-HSÜN, PRINCE CHUANG, already degraded, allowed the Boxers to attack the Legations. He, on his own authority, published proclamations contrary to the treaties; he lightly believed the statements of evil-doers; he unlawfully caused to be decapitated a great number of persons; he has shown himself, of a truth, vulgar and stupid. We invite him, as a favor, to commit suicide. We direct Ko-pao-hua, acting president of the Court of Censors, to go and see (that the suicide has taken place).

TSAI-I, PRINCE TUAN, already degraded, led away with him several Princes and Peilo (Princes of the 3d class). He lightly gave heed to the Boxers and foolishly advised fighting. So all these troubles broke out; his faults, of a truth, can not be ignored. TSAI-LAN, DUKE FU-KUO, reduced in rank, in concert with TSAI-HSÜN, foolishly published proclamations contrary to the treaties. He should also be punished for his faults. We deprive them of their nobiliary titles, but, considering that they belong to our family, We order, by special act of grace, that they be sent to Hsin-chiang (Ili) where they shall be condemned to prison for life. Deputies will first be sent to watch them.

YÜ-HSIEN, degraded governor, foolishly believed, when formerly discharging the duties of governor in Shantung, in the sorcery of the Boxers. Arriving in Peking, he extolled them so highly that several Princes and Ministers fell under his evil influence. Being governor of Shansi, he massacred a great number of missionaries and Christians. He is worse than an imbecile, than a madman, than a murderer; he is the chief culprit and the author of all these calamities. He has already been sent to Hsin-chiang, and, believing that he has arrived in Kan-su, We order that, on the receipt of the order which We send, he shall at once be beheaded. We direct the Provincial Judge Ho Fu-kun to see that the penalty is carried out.

KANG-YI, Assistant Grand Secretary of State, President of the Board of Works, having lent his aid to the Boxers, serious disturbances broke out. He aided in publishing proclamations contrary to the treaties. A severe punishment was to have been inflicted on him at first, but he has died of disease. We order that the honors which he previously held shall be withdrawn from him and that he be at once degraded.

TUNG FU-HSIANG, general in Kan-su, degraded but retained in office, entered (Peking) to defend (the city) with the troops under his orders; he

was unable to maintain strict discipline. Ignorant, furthermore, of international questions, he followed his ideas and acted in an imprudent manner. Although the attacks on the Legations were ordered by the above degraded Princes, it is nevertheless difficult to absolve him of all faults. We intended in the first instance to have punished him severely, but, considering the signal services he has rendered in Kan-su and the sympathy felt for him by Muslims and Chinese, as an act of extraordinary grace We order that he shall be immediately degraded.

YING-NIEN, President of the Court of Censors, reduced in rank and displaced, opposed TSAI-HÜN in publishing on his own authority proclamations contrary to the treaties. We may make due allowance for this circumstance, but as he was not able to overcome (this resistance) by force, it is, after all, difficult to absolve him. We order, as a mark of great benevolence, that he be degraded. We condemn him to death, and he shall wait in prison for his case to be passed on.

CHAO SHU-CHIAO, President of the Board of Punishments, degraded and retained in office, had never shown till then any unfriendly feeling in relations with the Foreign Powers. Having made a report on the Boxers, he said nothing in their favor, but through his negligence faults were made. We order, as a special act of grace, that he be degraded. We condemn him to death, and he will await in prison judgment on his case.

We command that YING-NIEN and CHAO SHU-CHIAO be in the first place confined in the prison of the capital of Shensi.

Hsu TUNG, Grand Secretary of State, and Li PING-HENG, former Governor-General of Sze-chuan, reduced in rank and displaced, died for their country, but everyone knows their faults. We order that they be degraded, and We deprive them of the posthumous honors which We had conferred on them.

After the promulgation of this decree all our friendly nations should recognize that the events caused by the Boxers are in truth only attributable to the principal authors of trouble and in no wise to the wishes of the Court.

Since We, the Emperor, not without reason do punish several of the principal authors of disorder, the mandarins and the people of the Empire will understand at once that the consequences of such affairs are of the most grave.

Respect this!

ANNEX NO. 5

IMPERIAL EDICT of the 13th February, 1901

[TRANSLATION]

"CH'I-HSIU, president of the Board of Rites, and Hsü CHENG-YU, formerly senior Vice-President of the Board of Punishments, are in the first place to be degraded.

"We order Yi K'uang and Li Hung-Chang to obtain exact proof of their

guilt and to send Us at once a report. They shall be punished with the greatest severity.

“Respect this!”

ANNEX NO. 6

IMPERIAL EDICT of the 21st February, 1901

[TRANSLATION]

Edict published and sent telegraphically the 3rd day of the 1st moon (21 February 1901), and received on the 4th by the Grand Chancellery.

By a former Edict We had already severely punished, according to the several cases, all the high officials, the principal authors of the present misfortunes. But We received some time ago a telegraphic report from Yi-K'uang and Li Hung-chang telling Us that, according to an official despatch from the Ministers Plenipotentiary of the various Powers, new and severer punishments were necessary, and begging Us to take action.

Besides TSAI-HSÜN, who has been ordered to commit suicide, and YÜ-HSIEN, against whom has been pronounced the penalty of immediate decapitation, and for each of whom deputies have been ordered to go see that (the sentences have been carried out), We decide that the penalty to be inflicted on TSAI-YI (Prince Tuan) and TSAI-LAN (Duke Lan) is decapitation with reprieve; nevertheless, in view of the relationship in which they stand to Us, We show them the special act of grace of sending them to the frontier of the Empire, in Turkestan, where they shall be imprisoned for life. A deputy to take them under escort shall be designated, and shall leave at once.

As to KANG-YI, whose crimes were greater, the penalty should have been immediate decapitation, but as he has already died of disease, as an act of grace, he shall be spared further inquiry into his case.

As regards YING-NIEN and CHAO SHU-CHIAO, whose punishments, according to Our former decisions, were to have been decapitation with reprieve, We command that they be requested to commit suicide, and We direct Ch'en Ch'un-huan, Governor of Shan-si, to go and verify (their deaths).

As to CH'I-HSIU and Hsü CHENG-YU, whom the Powers designate as the most ardent protectors of the Boxer bandits, and as having most particularly done harm to foreigners, We had previously ordered their degradation; We (now) order Yi-K'uang and Li Hung-chang to ask the Powers, by despatch, for their surrender, and to have them executed at once. One of the Presidents of the Board of Punishments shall be directed to verify (their execution).

As to Hsü TUNG, who compromised the great general interests by putting his confidence in the Boxers, and LI PING-HENG, whose bragging ways directly brought about these misfortunes, the punishment which should have been theirs was decapitation with reprieve; but taking into consideration the fact

that they committed suicide when they saw the disaster coming, and that they have already been degraded, and that the posthumous honors which had been granted them have been annulled and withdrawn, it is needless to take up their cases.

The nature of the crimes committed by all the principal authors of the wrong has been set forth in a clear and detailed way in previous decrees.

Respect this!

ANNEX NO. 7

IMPERIAL EDICT of the 13th February 1901

[TRANSLATION]

"The troubles brought about by the Boxers during the 5th moon (May-June) having spread from day to day, the Court had two difficult courses to adopt—to take either coercitive or conciliatory measures. In the hope that a line of conduct would be shown Us the Ministers were several times called in audience.

"We have repeatedly questioned Hsü YUNG-YI, President of the Board of War, LI-SHAN, President of the Board of Finance, Hsü CHING-CHENG, senior vice-President of the Board of Works, LIEN-YUAN, vice Chancellor of the Grand Council, YUAN-CHANG, vice-President of the Court of Sacrificial Worship.

"In their speech and in their mind all admitted that the two methods were possible. Several Ministers, instigators of disorder, availing themselves of this fact, unjustly accused these men, handed in memorials in which they denounced them. So it came about that they were severely punished in their persons.

"But considering that Hsü Yung-yi and the others showed great zeal for many years and have always taken interest in international questions, that they were capable of faithfulness, and had shown themselves industrious, We owe it to them to show them favor.

"We command that LI-SHAN, Hsü YUNG-YI, Hsü CHING-CHENG, LIEN-YUAN, and YUAN-CHANG be restored to their former honors.

"Let the ministry concerned be informed.

"Respect this!"

ANNEX NO. 8

IMPERIAL EDICT of the 19th August, 1901

[TRANSLATION]

Edict received by the Grand Chancellery the 6th day of the 7th moon of the 27th year Kuang-hsü (19 August 1901).

"Considering the report of this day by which Yi-K'uang and Li Hung-chang inform Us that the foreign Powers have decided on the suspension

during five years of civil and military examinations in the localities where troubles have taken place;

"Considering that it is declared that this suspension shall remain applicable to the local examinations for licentiates of Shun-t'ien and of T'ai-yuan;

"Considering the list comprising the localities of—

"Province of Shan-si: T'ai-yuan Fu, Hsin-chou, Tai-ku Hsien, Ta-t'ung Fu, Fen-chou Fu, Hsiao-i Hsien, Ch'u-wo Hsien, Ta-ning Hsien, Ho-ching Hsien, Yuch-yang Hsien, So-p'ing Fu, Wen-shui Hsien, Shuo-yang Hsien, P'ing-yang Fu, Ch'ang-tzu Hsien, Kao-p'ing Hsien, Tse-chou Fu, Hsi Chou, P'u Hsien, Chiang-chou, Kuei-hua Ch'eng, Sui-yuan ch'eng;

"Province of Ho-nan; Nan-yang Fu, Kuang-chou;

"Province of Che-chiang: Ch'ü-chou Fu;

"Province of Chih-li; Pei-ching, Shun-t'ien Fu, Pao-ting Fu, Yung-ching Hsien, T'ien-ching Fu, Shun-tê Fu, Wang-tu Hsien, Huai-lu Hsien, Hsin-nan Hsien, T'ung-chou, Wu-i Hsien, Ching-chou, Luan-ping Hsien:

"Three provinces of Manchuria: Sheng-ching (=Mukden), Chia-tzŭ-ch'ang, Lien-shan, Yu-ch'ing-chieh, Pei-lin-tzŭ, Hu-lan Ch'eng;

"Province of Shen-si: Ning-chiang Chou;

"Province of Hu-nan: Heng-chou Fu;

"We command that in all these localities civil and military examinations shall be suspended during a period of five years, and We order all governors-general, governors, and examiners of the aforesaid provinces, to act in conformity and to publish proclamations."

"Respect this!"

ANNEX NO. 9

IMPERIAL EDICT of 18th of June, 1901

[TRANSLATION]

Edict received by telegraph from Hsi-an-Fu the 3d day of the 5th moon (18th of June, 1901):

We confer on Mr. NA-TUNG, second Vice-President of the Board of Finances, the mandarin's button of the first rank, and we designate him as special Envoy to go to Japan and there respectfully to discharge the mission We entrust to him.

Respect this!

ANNEX NO. 10

List of cemeteries situated in the neighborhood of Peking and which have been desecrated

British cemetery	One
French cemeteries	Five
Russian cemetery	One
Total	<u>Seven</u>

ANNEX NO. 11

IMPERIAL EDICT of the 25th of August, 1901

[TRANSLATION]

We command all Tartar Marshals, Governors General, and Governors of provinces, as well as Customs taotais, to forbid, in the first place for a period of two years, the importation of implements of war as well as of material of foreign origin serving exclusively for their manufacture.

Inform the ministry concerned.

Respect this!

ANNEX NO. 12

Despatch of Prince Ch'ing and Li Hung-chang to M. de Cologan, Minister of Spain, Dean of the Diplomatic Corps (29 May 1901)

[TRANSLATION]

The 12th day of the 4th moon of the 27th year of Kuang-hsü (29th May, 1901).

Official Reply.

The 7th day of the 4th moon of the present year (24 May 1901) we received from Your Excellency the following official despatch:

"I have the honor to acknowledge to Your Highness and Your Excellency receipt of the letter which you were pleased to send me in reply to my communication dated May 7th concerning the indemnities. In the letter to which Your Highness and Your Excellency have just replied we informed you that the approximate figure of the expenses incurred and of the losses sustained by the Powers amounted to the sum of 450 million Taels, calculated to the 1st of July of the current year.

"In reply to this communication Your Highness and Your Excellency have informed me that the Chinese Government proposed to pay off this sum to the powers by monthly payments of 1,250,000 taels during 30 years.

"The Representatives of the Powers have not failed to transmit this proposal to their Governments. But they must call the attention of Your Highness and Your Excellency to the fact that the total of the payments proposed by the Chinese Government only represents the capital of the sum mentioned, without the question of interest having been taken account of.

"I consequently beg Your Highness and Your Excellency to be so kind as to inform us as soon as possible of the intention of the Chinese Government in this respect."

In considering in a previous despatch the question of indemnities, we explained to Your Excellency the penury of the Chinese treasury.

In your last communication Your Excellency is pleased to call our attention to the fact that the annual payments of fifteen millions of taels which we proposed only represent the capital, and you now call our attention to the question of interest.

As we, on our side, had already considered that besides the capital there also had to be taken into consideration the question of annual interest at 4 per cent, we had already, by telegram, submitted to the Throne proposals on this subject, and in reply we have received an Imperial Edict, stating that "the figure of four hundred and fifty millions of indemnities to be paid the Powers, with interest at 4 per cent, is approved," and we are commanded to take the necessary measures to carry out this decision.

We have, therefore, only to comply with the orders of the Throne.

Nevertheless this obliges us to recall to Your Excellency that the financial resources of China are so restricted that nothing more can possibly be taken from them beyond the fifteen millions of Taels which we have already proposed to Your Excellency to devote specially to the payment of indemnities, but as this sum must not only furnish payment of the capital, but also that of interest, we have no other alternative to propose than to prolong the term of payments, which we had in the first place fixed at 30 years, in such a way that the instalments paid during the first period of this term thus extended shall be considered as destined to extinguish the capital, while those made during the second period shall be applied to liquidating the interest account, after which all payments would cease through the extinction of the debt. The Imperial Maritime Customs, already entrusted as we suggested, with the payments of the capital, would likewise be entrusted with the payments on account of interest. As to the amount of the annual interest, it would be understood that it would decrease proportionately every year, according to the progressive reduction of the capital.

We have the honor to request Your Excellency to kindly inform us what you think of the plan we suggest above to pay off both capital and interest, or if in your opinion it would not be better to consider a portion of the fifteen millions paid annually as an instalment on the capital to be paid off, and the balance as an instalment on the interest. These details require a careful examination, and demand a previous and full understanding between the parties.

China having thus shown its good will in assenting to the demands of the Powers on the question of the indemnity, and in taking all the necessary steps to insure an integral payment of it, we hope to have soon the satisfaction of learning that the Powers are in a position to fix an early date for the evacuation.

We have the honor to request Your Excellency kindly to communicate the above to the Representatives of the Powers.

ANNEX NO. 13—PLAN OF AMORTIZATION

219-015-68
22

Years.	Series A.	Series B.	Series C.	Series D.	Series E.	Amount of sums due on Series A, B, C, D, E.	Annuities of the existing debt guaranteed by the M.I. customs and liquor taxes.	Aggregate amount of the foreign debt
	Tls. 75,000,000. Extinguished in 1940 by means of a yearly amortization of 1.106 per cent in 39 years, beginning in 1902.	Tls. 60,000,000. Extinguished in 1940 by means of a yearly amortization of 1.783 per cent in 30 years, beginning in 1911.	Tls. 150,000,000. Extinguished in 1940 by means of a yearly amortization of 2.256 per cent in 26 years, beginning in 1915.	Tls. 50,000,000. Extinguished in 1940 by means of a yearly amortization of 2.401 per cent in 25 years, beginning in 1910.	Tls. 115,000,000. Extinguished in 1940 by means of a yearly amortization of 9.449 per cent in 9 years, beginning in 1932.		Tls.	
1902	Int. & am... 3,829,500	Int. 2,400,000	Int. 6,000,000	Int. 2,000,000	Int. 4,600,000	18,829,500	23,600,000	42,429,500
1903	"	"	"	"	"	"	23,300,000	42,129,500
1904	"	"	"	"	"	"	23,000,000	41,829,500
1905	"	"	"	"	"	"	24,100,000	42,929,500
1906	"	"	"	"	"	"	23,900,000	42,729,500
1907	"	"	"	"	"	"	23,700,000	42,529,500
1908	"	"	"	"	"	"	23,400,000	42,229,500
1909	"	"	"	"	"	"	23,400,000	42,229,500
1910	"	"	"	"	"	"	23,200,000	42,029,500
1911	"	Int. & am... 3,469,800	"	"	"	19,899,300	22,800,000	41,699,300
1912	"	"	"	"	"	"	22,600,000	41,499,300
1913	"	"	"	"	"	"	22,400,000	41,299,300
1914	"	"	"	"	"	"	24,100,000	41,999,300
1915	"	"	Int. & am... 9,384,000	"	"	23,283,300	19,400,000	42,883,300
1916	"	"	"	Int. & am... 3,200,500	"	24,483,800	18,500,000	42,683,300
1917	"	"	"	"	"	"	18,500,000	42,683,300
1918	"	"	"	"	"	"	18,500,000	42,683,300
1919	"	"	"	"	"	"	18,500,000	42,683,300
1920	"	"	"	"	"	"	18,500,000	42,683,300
1921	"	"	"	"	"	"	18,500,000	42,683,300
1922	"	"	"	"	"	"	18,500,000	42,683,300
1923	"	"	"	"	"	"	18,500,000	42,683,300
1924	"	"	"	"	"	"	18,500,000	42,683,300
1925	"	"	"	"	"	"	18,500,000	42,683,300
1926	"	"	"	"	"	"	18,500,000	42,683,300
1927	"	"	"	"	"	"	18,500,000	42,683,300
1928	"	"	"	"	"	"	18,500,000	42,683,300
1929	"	"	"	"	"	"	18,500,000	42,683,300
1930	"	"	"	"	"	"	18,500,000	42,683,300
1931	"	"	"	"	"	"	18,400,000	42,683,100
1932	"	"	"	"	"	Int. & am... 15,466,350	7,500,000	42,850,150
1933	"	"	"	"	"	"	6,300,000	41,650,150
1934	"	"	"	"	"	"	5,900,000	41,250,150
1935	"	"	"	"	"	"	5,900,000	41,250,150
1936	"	"	"	"	"	"	5,900,000	41,250,150
1937	"	"	"	"	"	"	5,900,000	41,250,150
1938	"	"	"	"	"	"	5,900,000	41,250,150
1939	"	"	"	"	"	"	5,900,000	41,250,150
1940	"	"	"	"	"	"	5,900,000	41,250,150
	4.18433 of the whole amount of tls. 450,000,000 from the year 1902.	4.23773, or, inclusive of the foregoing rate, 4.42206 of the whole amount of tls. 450,000,000 from the year 1911.	4.752000, or, inclusive of the foregoing rate, 5.17406 of the whole amount of tls. 450,000,000 from the year 1915.	4.26677, or, inclusive of the foregoing rate, 5.44083 of the whole amount of tls. 450,000,000 from the year 1916.	6.41477, or, inclusive of the foregoing rate, 7.85560 of the whole amount of tls. 450,000,000 from the year 1932.	Aggregate amount to be paid, tls. 982,236,150.		

ANNEX NO. 14

*Description of the boundaries of the Legation quarter at Peking*⁶

Point 1 is situated on the south wall of the Tartar City a hundred feet to the east of the east side of the superstructure of the CH' IEN MEN. From this point the boundary runs for a distance of two hundred and sixteen feet, following a line nearly due north, as far as

Point 2, southeast corner of the white stone balustrade which encloses the open paved space before the principal entrance of the Imperial City.

From this point the boundary runs for a length of three hundred and ten feet along the east side of this balustrade, nearly directly north, to

Point 3, situated on the north side of the road which forms a continuation of Legation Street, at the intersection of the boundary line coming from 2 and of a line prolonging the north side of Legation Street.

From this point the line runs for a length of six hundred and forty-one feet and a half (measured around and in the angles of the wall) along the north side of Legation Street as far as

Point 4, at one hundred and forty-six feet to the west of the corner (southwest) of Gaselee Road, measured along the north of Legation Street.

From this point the boundary runs for a length of two thousand one hundred and fifty-two feet (measured around and in the angles of the buildings) in a general northerly direction, but following the line of the buildings now existing and, in the open spaces between the buildings, a line parallel to the general line of the buildings on the left side of Gaselee Road and one hundred and fifty-seven feet west of the west side of the gate which leads from Gaselee Road to the exterior court of the Imperial City, as far as

Point 5, on the south face of the south wall of the interior court of the Imperial City, and at one hundred and fifty-seven feet from the west side of the gate at the end of Gaselee Road.

From this point the line runs for a distance of one thousand two hundred and eighty-eight feet nearly due east along the wall as far as

Point 6, southeast corner of the exterior court of the Imperial City.

From there the line runs almost directly north along the wall for a distance of two hundred and eighteen feet measured in a straight line to

Point 7, northeast corner of the exterior court.

From there the line runs nearly due east for a distance of six hundred and eighty-one feet to

Point 8, southeast corner of the wall of the Imperial City.

From there the boundary runs nearly due north for a distance of sixty-five feet along the wall to

⁶ For a plane table survey of the Peking Legation boundaries which accompanied the protocol, see S. Doc. 67, 57th Cong., 1st sess., between pp. 330 and 331, or John V. A. MacMurray, *Treaties and Agreements With and Concerning China, 1894-1919*, vol. I, between pp. 298 and 299.

Point 9, at sixty-five feet from the southeast corner of the wall of the Imperial City.

From there the boundary runs due east for a distance of three thousand and ten feet to

Point 10, on the west side of Ketteler Strasse and at three hundred feet from the angle of intersection of Ketteler Strasse and the Viale Italia.

From this point the boundary runs nearly due south along the west side of Ketteler Strasse to

Point 11, northwest corner of the archway of the Hatamen, on the south wall of the Tartar City.

From there the boundary runs along the wall and includes the west ramp of the Hatamen to

Point 12, on the wall at one hundred feet to the west of the superstructure of the Hatamen.

From POINT 12 the boundary follows the southern face of the wall including the bastions, as shown in the plan, until it meets POINT 1.

The points of the plan of which the bearings have been taken are the following:

A. Point at one hundred and seven feet from the superstructure of the Chien-Men, measured to the east along the north edge of the crest of the wall of the Tartar City.

B. Point on top of the north edge of the wall of the Tartar City, exactly above the middle of the canal for the drainage of water.

C. Northwest corner of the superstructure of the Hatamen.

ANNEX NO. 15

IMPERIAL EDICT of February 1, 1901

[TRANSLATION]

In all the provinces bandits called for followers and established anti-foreign societies. Various edicts were issued formally forbidding this. We repeated this many times, but, nevertheless, in late years there have been in all the Shan-tung districts sects under the name of Ta-tao-huei (Great Knives Society) and I-ho-chuan (Boxers), which spread everywhere, with the object of willful murder and theft. Little by little they reached the Chih-li territory and suddenly entered the capital, where they set fire to the foreign establishments and attacked the Legations. Crimes were thus committed against neighboring countries, and offenses against the general interest. For not having assured protection we have incurred heavy responsibilities.

You, people, who in ordinary times nourish yourselves and live from the products of this land, and who have all been loaded with the Empire's favors—you have, however, dared to incite these bandits with the desire to fight, to teach methods for casting spells, and to devote themselves to

false practices. You have rashly resisted your mandarins, you have massacred them, you have assassinated foreigners, and then you have been the cause of unprecedented calamities, which above all else have plunged your Sovereign and your fathers in grief.

We can not think of what has been done without feeling a still deeper resentment. We have already formally ordered the Commanders in Chief of all the regions to exert their sincerest efforts to destroy these societies. The thing is to do away with the evil, even in its roots; therefore the Princes and Ministers who have lent their support to the Boxers will suffer the heaviest penalties according to their crimes, and in order to inspire fear, all civil and military examinations will be suspended for five years in all cities where foreigners were massacred or suffered cruel treatment.

Fearing lest the ignorant rural populations may not hear (of these punishments), new and severe measures will be taken for the special purpose of preventing the execution of those who have not been notified.

You, soldiers and people, must know that it is formally forbidden by law to organize or belong to secret societies. Our ancestors have never shown the slightest indulgence in the repression of societies of malefactors.

Moreover, the foreign Powers are all friendly countries, the Christians are children of our blood whom the Court regards with the same benevolence, and It could not admit having toward them sentiments of a different sort. All Chinese, whether Christians or not, who may be ill treated, should complain to the authorities and wait until a fair and equitable judgment is rendered. How can you lightly believe all the rumors which have been spread? How can you disregard the penal laws?

Then, when all is lost, those who are sharp save themselves by flight and the simple are put to death. The law is slow to pardon, and all that has happened is in truth most regrettable. From the publication of this present edict, each one must reform and repent him of the teaching he has received.

If hardened and incorrigible malefactors should again secretly organize anti-foreign societies, they will be punished by death, as well as anyone belonging to these societies. They shall not be shown the slightest mercy.

The Tartar Marshals, the Governors-General, Governors, and High Provincial Authorities whose duty it is to guide the population, must give explicit instructions to their subordinates to publish severe proclamations and to have printed on yellow paper the present decree, which shall be posted up everywhere. It is important that all families be notified, that they all be exhorted to good conduct and that none be ignorant of the will of the Court for all to be well aware that punishment will be meted out, in order to avoid the necessity of inflicting other punishments.

Let this edict be made known to all in the Empire.

Respect this!

ANNEX NO. 16

IMPERIAL EDICT of December 24, 1901

[TRANSLATION]

It has been stipulated in the treaties concluded between China and the Foreign Powers that the citizens of these Powers shall be allowed to penetrate into the interior.

The Court, in order to ensure and maintain relations with other countries, has already published decrees ordering that most sincere efforts be made in the provinces to guarantee protection. Nevertheless, the local authorities having gradually grown lax (in the exercise of their duties), malefactors have caused trouble, and attacks have been directed against foreigners. Similar incidents have repeatedly occurred.

We realize that our ability was too limited to reform the ignorant people, which has led us to make very grievous mistakes. Not a single local mandarin has, in normal times, been able to interpret European affairs, and none has comprehended the importance of foreign relations. Consequently the conflagration spread everywhere, threatening the Empire; and, if they reflect, they will find they have cause for uneasiness.

Henceforth each one of you must strive to overcome his resentment and to lay aside his prejudices. You must know that the maintenance of friendly relations with foreign countries has in all times been a fundamental law. People coming to China from afar, whether as merchants to exchange their products, or as travelers to increase their scientific knowledge, or yet as missionaries to preach religion with the object of exhorting the people to do good, have crossed mountains and seas at the cost of the greatest exertions.

Since China passes for a civilized country, it must practice the duties of a host toward his guests. Moreover, the Chinese who have gone abroad in recent years number at least several hundreds of thousands. The safety of their persons and property depends upon the guaranty assured them by the Powers, who have given them their protection. How could we continue to treat their citizens differently?

We again command all the responsible High civil and military Authorities of all the provinces to order their subordinates to protect, in the most efficacious manner, the agents and nationals of the foreign Powers who may enter within their districts. In case audacious malefactors should go so far as to maltreat and massacre foreigners, order must be restored immediately and the guilty parties arrested and punished without delay. No delay must occur. If, owing to indifference, or even to voluntary tolerance, great calamities should take place, or if treaties should be violated and no immediate steps taken to make reparation or inflict punishment, the Governors-General, Governors, and the provincial or local Officials responsible will be removed and

shall not be reappointed to other offices in other provinces, or hope to be reinstated or receive any further honors.

The present decree must be printed and published to warn the officials and put an end to all shameful customs.

Respect this!

ANNEX NO. 17

Regulations for the improvement of the course of the Whangpu

I. A River Conservancy Board [*Conseil fluvial*] is established at Shanghai for the Whangpu River.

II. The Board shall have the twofold duty of acting as agent for the straightening and improvement of the river, and as controlling agent.

III. The jurisdiction of the Board shall extend from a line drawn from the lower limit of the Kiang-nan Arsenal towards the mouth of Arsenal Creek, to the red buoy in the Yangtze.

IV. The Board shall consist of: (*a*) The Taotai; (*b*) the Commissioner of Customs; (*c*) two members elected by the Consular Body; (*d*) two members of the General Chamber of Commerce of Shanghai, elected by the committee of the said Chamber; (*e*) two members representing shipping interests, elected by shipping companies, commercial firms, and the merchants the total of whose entrances and clearances at Shanghai, Woosung, and other ports on the Whangpu exceeds 50,000 tons per annum; (*f*) a member of the Municipal Council of the International Settlement; (*g*) a member of the Municipal Council of the French Concession, and (*h*) a representative of each country the total tonnage of whose ships entering and clearing at Shanghai and any other port of the Whangpu exceeds two hundred thousand tons a year.

V. The *ex officio* members shall hold office as long as they fill the position by virtue of which they sit on the Board.

VI. The representatives of the Municipal Councils and of the Chamber of Commerce shall be elected for a period of one year. They may be immediately reelected.

The term of office of the members to be designated by the Governments (provided under paragraph *h*) shall also be one year.

The term of the other members is for three years. They may be immediately reelected.

VII. In case of a vacancy during a term, the successor of the out-going member shall be designated for one year or for three years, according to the class to which he belongs.

VIII. The Board shall elect its Chairman and Vice-Chairman from amongst its members for a term of one year. If there is no majority at the election of Chairman, the Senior Consul shall be requested to give a casting vote.

IX. In case of the absence of the Chairman the Vice-Chairman shall take his place. If both of them are absent the members shall choose amongst themselves a President for the occasion.

X. In all meetings of the Board, if votes are equally divided, the Chairman shall have a casting vote.

XI. Four members form a quorum.

XII. The Board shall appoint the officials and employees deemed necessary for carrying out the works and enforcing its regulations; it shall fix their salaries, wages, and gratuities, and shall pay them out of the funds placed at its disposal, and it may make regulations and take every measure necessary concerning its staff, which it can dismiss at pleasure.

XIII. The Board shall decide on the necessary steps for the regulation of traffic, including the placing of moorings in the river and the berthing of vessels within the limits indicated in Article III, and on all water courses (such as the Soochow Creek and others) passing through the French Concession or the International Settlement at Shanghai and the foreign quarter at Woosung, as well as on all the other creeks emptying into the river, for a distance of 2 English miles above their mouths.

XIV. The Board shall have power to expropriate the private moorings and to establish a system of public moorings in the river.

XV. The authorization of the Board shall be necessary to carry out any dredging, to build bunds, to construct jetties, or to place pontoons and hulks in the section of the river mentioned in Article XIII. The Board may, at its discretion, refuse such authorization.

XVI. The Board shall have full power to remove all obstacles in the river, or the above-mentioned creeks, and to recover, if necessary, the cost of so doing from those responsible.

XVII. The Board shall have control of all floating lights, buoys, beacons, landmarks, and light signals within the section of the river and within the creeks mentioned in Article XIII, as well as over such marks on the shore as may be necessary for the safe navigation of the river, with the exception of light-houses, which shall remain subject to Article XXXII of the treaty of 1858 between Great Britain and China.

XVIII. The improvement and conservancy works of the Whangpu shall be entirely under the technical control of the Board, even should the carrying out of them necessitate works beyond the limits of its jurisdiction. In this case the necessary orders will be transmitted by and the work will be done with the consent of the Chinese authorities.

XIX. The Board shall receive and disburse all the funds collected for the works and take, in conjunction with the competent authorities, all proper and efficacious measures to ensure the collection of the taxes and the enforcement of the regulations.

XX. The Board shall appoint the Harbour Master and his staff. This department shall act, within the limits of the powers assigned to the Board, in the section of the river indicated in Article XIII.

XXI. The Board shall have authority to organize a police and watch service to ensure the execution of its regulations and orders.

XXII. The Board shall have the direction and control of the Shanghai (Lower Yangtze) pilot service. Licenses for pilots for ships bound for Shanghai shall only be issued by the Board and at its discretion.

XXIII. In case of infractions of its regulations, the Board shall sue offenders in the following way: Foreigners, before their respective Consuls or competent judicial authority; Chinese or foreigners whose Governments are not represented in China, in the mixed Court, in the presence of a foreign assessor.

XXIV. All suits against the Board shall be brought before the Court of Consuls at Shanghai. The Board shall be represented in suits by its secretary.

XXV. Members of the Board and persons employed by it shall not incur any personal responsibility for the votes and acts of the Board, for contracts made or expenses incurred by the said body, when the said votes, acts, contracts and expenses concern the carrying out or the enforcement, under the authority or by order of the Board or of one of its branches, of the regulations enacted by said body.

XXVI. Besides the provisions mentioned in Article XIII of the present annex, the Board shall have power to enact, within the limits of its competency, all necessary ordinances and regulations, and to fix fines for the violation thereof.

XXVII. The ordinances and regulations mentioned in Article XXVI shall be submitted for the approbation of the Consular Body. If two months after presenting the draft of the proposed ordinances and regulations the Consular Body has made no objection or suggested no modification, it shall be considered as approved and shall come into force.

XXVIII. The Board shall have power to acquire by purchase the lands necessary for carrying out the works of improvement and conservancy of the Whangpu and to dispose of them.

If, for this purpose, it shall be deemed necessary to expropriate land, the rules laid down in Article VI (a) of "The Land Regulations for the Foreign Settlement of Shanghai North of the Yang-king-pang"⁶ shall be followed. The price shall be fixed by a Committee consisting of, first, a person chosen by the authority to whose jurisdiction the owner is subject; second, one chosen by the Board, and, third, one chosen by the Dean of the Consular Corps.

⁶ For text of the 1869 Land Regulations for the Foreign Settlement of Shanghai, confirmed by representatives of the United States, the United Kingdom, France, Germany, and Russia, see Godfrey E. P. Hertslet, *China Treaties*, vol. II, p. 664; for additional information, see V Moore 463.

XXIX. Riparian owners shall have the refusal of all land made in front of their properties by the reclamation carried out for the improvement of the waterways in question. The purchase price of these lands shall be fixed by a Committee composed in the same manner as provided for in Article XXVIII.

XXX. The revenues of the Board are to be derived from—

(a) An annual tax of one-tenth of 1 per cent (0.1 per cent) on the assessed value of all lands and houses in the French Concession and the International Settlement.

(b) A tax of equal amount on all property with water frontage on the Whangpu, from a line drawn from the lower limit of the Kiang-nan Arsenal toward the mouth of Arsenal Creek to the place where the Whangpu empties into the Yangtze. The assessed value of this property shall be fixed by the Committee mentioned in Article XXVIII.

(c) A tax of five candereens per ton on all ships of non-Chinese type and of a tonnage superior to 150 tons entering or leaving the port of Shanghai, Woosung, or any other port on the Whangpu.

Ships of non-Chinese type of 150 tons and under shall pay a quarter of the above-mentioned tax. These taxes shall only be leviable on each ship once every four months, irrespective of the number of its entrances and clearances.

Foreign-built ships navigating the Yangtze and only stopping at Woosung to take their river papers shall be exempted from the taxes above mentioned, on condition that on their way up or down they shall not carry on any commercial transactions at Woosung. They shall, however, be allowed to take on water and supplies at Woosung.

(d) A tax of one-tenth of 1 per centum (0.1 per cent) on all merchandise passing through the customs at Shanghai, Woosung, or any other port on the Whangpu.

(e) An annual contribution from the Chinese Government equal to that supplied by the various foreign interests.

XXXI. The collection of the taxes enumerated in Article XXX shall be made through the medium of the following authorities:

Tax *a*, by the respective Municipalities.

Tax *b*, to be collected from persons under the jurisdiction of Governments represented in China by their respective Consuls; the taxes to be collected from Chinese or from persons whose Governments are not represented in China by the Taotai.

Taxes *c* and *d*, by the Imperial Maritime Customs.

XXXII. Should the total annual revenues of the Board not be sufficient for the payment of interests and the amortization of the capital to be borrowed for carrying out the works, for keeping up the completed works, and

for the service in general, the Board shall have the power to increase in the same proportion the various taxes on shipping on land and houses, and on trade, to a figure sufficient to supply its recognized needs. This eventual increase would apply in the same proportion of the contribution of the Chinese Government mentioned in paragraph *e* of Article XXX.

XXXIII. The Board shall give notice to the Superintendent of Southern Trade and to the Consular Body of the necessity for the increase referred to in Article XXXII. Such increase shall only come into force after its approval by the Consular Body at Shanghai.

XXXIV. The Board shall submit to the Superintendent of Southern Trade and to the Consular Body at Shanghai, within six months after the closing of each financial year, its annual accounts, accompanied by a detailed report on the general management and the receipts and expenditures during the preceding twelve months. This report shall be published.

XXXV. If the exact and published accounts of receipts and expenditures show a balance of receipts over expenses, the taxes mentioned in Article XXX shall be proportionately reduced by the Board and the Consular Body at Shanghai acting conjointly. The eventual reduction shall apply in the same proportion to the contribution of the Chinese Government referred to in paragraph *e* of Article XXX.

XXXVI. At the expiration of the first term of three years the signatories shall examine conjointly whether the provisions contained in the present annex require revision. A new revision can take place every three years under the same conditions.

XXXVII. The regulations of the Board within the limits provided for in Article XIII, and subject to the approbation of the Consular Body at Shanghai, shall be binding on all foreigners.

Peking September 7th, 1901.

ANNEX NO. 18

IMPERIAL EDICT of the 24th July, 1901

[TRANSLATION]

On the 9th day of the 6th moon the Grand Chancellery received the following Edict:

"The creation of officers and the determination of their duties has until now been regulated by the requirements of the times. Now, at this moment when a new treaty of peace is concluded, international affairs take the first place among important business, and it is more than ever necessary to have recourse to competent men to devote themselves to all that relates to establishing friendly relations and confidence in speech.

"The Office of Foreign Affairs, formerly created to deal with international questions, has been in existence, it is true, for years; but since the Princes and Ministers who composed it did not for the most part exercise these

functions except in conjunction with others, they were unable to devote themselves exclusively to the former. It is naturally, therefore, proper to create special functions, so that each one may have his particular attributions.

"We command, in consequence, that the Office of Foreign Affairs (Tsung-li ko kuo shih-wu ya-men) be changed into a Ministry of Foreign Affairs (Wai-wu Pu) and take rank before the six Ministries. And we designate YI-K'UANG, Prince of the First Rank Ch'ing, as President of the Ministry of Foreign Affairs.

"WANG WEN-SHAO, Grand Secretary of State of the Ti-jen Ko, is appointed Assistant-President of the Ministry of Foreign Affairs. CH'Ü HUNG-CHI, President of the Board of Works, is transferred with the same rank to the Ministry of Foreign Affairs, in which he is appointed Assistant-President. HSÜ SHOU-P'ENG, Director of the Imperial Stud, and LIEN-FANG, Expectant Metropolitan Subdirector of the third or fourth rank, are appointed first and second Directors (or Under Secretaries).

"As regards the fixing of the personnel, the rules to be followed in its choice, the salaries to be given the Ministers, Directors, and other Agents, We command the Councilors of State to come to an agreement with the Board of Civil Office and promptly to submit to Us their conclusions in a report.

"Respect this."

ANNEX NO. 19

MEMORANDUM on the ceremonial to be followed in solemn audiences

1°. Solemn audiences to be given by His Majesty the Emperor of China to the Diplomatic Body or to Representatives of the Powers separately shall take place in the palace hall called "Ch'ien-ch'ing Kung."

2°. In going to or coming back from these solemn audiences the Representatives of the Powers shall be carried in their sedan chairs as far as outside of the Ching-yun gate. At the Ching-yun gate they will get out of the sedan chair in which they have come and will be carried in a little chair (i chiao) as far as the foot of the steps of the Ch'ien-ch'ing gate.

On arriving at the Ch'ien-ch'ing gate the Representatives of the Powers shall get out of their chairs, and shall proceed on foot into the presence of His Majesty in the Ch'ien-ch'ing Kung hall.

When departing the Representatives of the Powers shall return to their residences in the same manner as that in which they arrived.

3°. When a Representative of a Power shall have occasion to present to His Majesty the Emperor his letters of credence or a communication from the Head of the State by whom he is accredited, the Emperor shall cause to be sent to the residence of said Representative, to bear him to the Palace, a sedan chair with yellow trimmings and tassels, such as are used by the Princes of the Imperial family. The said Representative shall be taken back

to his residence in the same manner. An escort of troops shall likewise be sent to the residence of said Representative to accompany him going and returning.

4°. When presenting his letters of credence or communication from the Head of the State by whom he is accredited, the Diplomatic Agent, while bearing said letters of communications, shall pass by the central openings of the Palace doors until he has arrived in the presence of His Majesty. On returning from these audiences he will comply, as regards the doors by which he may have to pass, with the usages already established at the Court of Peking for audiences given to Foreign Representatives.

5°. The Emperor shall receive directly into his hands the letters and communications above mentioned which the Foreign Representatives may have to hand to him.

6°. If His Majesty should decide upon inviting to a banquet the Representatives of the Powers it is well understood that this banquet shall be given in one of the halls of the Imperial Palace and that His Majesty shall be present in person.

7°. In brief, the ceremonial adopted by China as regards Foreign Representatives shall, in no case, be different from that which results from perfect equality between the Countries concerned and China, and without any loss of prestige on one side or the other.