

*“The Emperor of China agrees to pay the sum of Six Millions of Dollars as the value of Opium which was delivered up at Canton.”*

### Overview



The Treaty of Nanjing ended the Opium War of 1839–1842 and created the framework for a new commercial and diplomatic relationship between Great Britain and the Qing Empire of China. By demanding that China open new ports, fix regular tariffs on imports and exports, and abolish the merchant guild, or “Cohong,” system of commerce, the treaty

rectified for the British what they considered to be long-standing problems in their dealings with the Chinese. In the immediate sense, then, the Treaty of Nanjing provided a legal and enforceable means of maintaining a “harmonious” relationship between China and Great Britain.

In a larger sense the 1842 treaty did far more than settle a trade dispute. It opened a new chapter in the history of global power and provided a template for the dominance of Western trading nations in East Asia for roughly a century. As the first of many “unequal” treaties between modern mercantile nations and traditional East Asian societies, the Treaty of Nanjing ushered in an era of “treaty diplomacy,” a euphemism for economic and political exploitation that defined the contours of Western imperialism in East Asia and confirmed the supremacy of the modern commercial state worldwide. In general, the unequal treaties were characterized by the imposition of demands for treaty ports in the host country; the creation of zones in the host country where foreign nationals could live, work, and worship; the establishment of consulates in the treaty cities; the control over tariffs; and extraterritoriality, which refers to the right claimed by foreign nationals to remain under the legal jurisdiction of their home countries, even while living and working abroad. In cases in which military operations were required to enforce a treaty, indemnities paid by the host country to the dominant power were also commonly included.

The historical irony of the unequal treaty concept is that the Western powers invariably used the rhetoric of “equality” to seek greater economic opportunities in Asia. However, for the Asian powers involved, these treaties were signed under duress and often without full knowledge of the complex mechanisms of modern economics, trade, and finance that formed the basis of these treaties and that had become

the operating assumptions of Western maritime powers since the early modern period. In seeking fair and equal treatment from the Qing Empire (1644–1911), the British wound up using the terms of the Treaty of Nanjing to control Chinese economic life and, by extension, to determine the course of Chinese political life as well. The practice of influencing the politics of a dependent nation by controlling its economy, commonly referred to by historians as “indirect imperialism” or “semicolonialism,” was arguably born with the Treaty of Nanjing.

### Context

At the end of the seventeenth century, China’s contact with Europeans was limited mostly to waterfront trade with British, Dutch, and Portuguese merchants in a few cities on China’s southeastern coast. The port cities of Canton (Guangzhou), Amoy (Xiamen) and Zhoushan had been open to foreign trade since 1683 and were fairly independent in the way they conducted their affairs. Foreign trade was managed by a guild of merchant brokerage firms called the Cohong. The individual firms, or Hong, were licensed by the Qing Empire to buy and sell merchandise and worked through an imperial trade supervisor (the Hoppo) to ensure that the court received its revenues. The enforcement of commercial regulations and tariff payments by the Hong was irregular and usually self-serving, frustrating Western traders.

At the turn of the eighteenth century, Great Britain was the dominant European trading power in China, and its merchants became strident in their demands for greater access to Chinese markets and regulation of the arbitrary practices of the Cohong. The British East India Company, which owned the British monopoly on Asian trade, asked repeatedly for standardized tariffs and tried to secure for its employees the right to reside in China and to receive treatment equal to their Chinese counterparts. The Chinese government refused such petitions and generally showed little willingness to cooperate with foreigners. In 1741 HMS *Centurion*, commanded by George Anson, put into Canton after sustaining damage at sea. Anson’s efforts to get his ship repaired turned into a bureaucratic nightmare.

## Time Line

1683

- The Qing Empire lifts restrictions on maritime trade, allowing foreigners to trade in selected ports on the southeastern coast of China.

1720

- Merchants in Canton form trade guilds called Cohong. The Cohong, supervised by Hoppo (imperial trade superintendents), are licensed to conduct commerce with foreign powers.
- The British begin to export Indian opium to China on a small scale.

1729

- Opium is declared contraband by the Yongzheng Emperor, with exceptions for medicinal use.

1741

- Commodore George Anson of the British navy sails into Canton for repairs after a storm at sea, only to suffer a series of delays, frustrations, and refusals. Anson's report to the British government generates awareness of the problems encountered by British ships in China.

In 1759 an East India Company trader named James Flint asked the Chinese government to reform corrupt Hong practices and to open additional ports in northern China. In response, Qing officials sentenced Flint to three years in prison and placed even greater constraints on maritime trade. After 1760 the Chinese rigidly enforced the "Canton system," which restricted all foreign trade to the port of Canton and then allowed it only during the "trading season" between October and March.

As prodigious consumers of Chinese porcelains, silks, and tea—especially tea—and as proponents of the modern ideal of free trade, the British came to consider the Canton system intolerably restrictive. Besides being shackled by managed trade, the British were also being bled by Hong brokers of their precious silver reserves. By 1800 British merchants were paying £3.6 million in silver for Chinese tea. The great imbalance of silver payments represented an enormous burden to a treasury already strapped with the administration of a growing empire.

With the hope of stopping the silver drain and fixing the structural problems of the Canton system, the British government sent Lord George Macartney to China in 1793 to negotiate a comprehensive trade agreement. The British hoped to persuade the Chinese to purchase more British manufactured goods and to open an embassy in Beijing. The Macartney mission turned out to be a colossal failure. Macartney violated protocol by refusing to kowtow (bow down) before Emperor Qianlong, and the Chinese made clear that they had no particular desire for British manufactured goods. In what has become one of the most famous rejections in history, Qianlong refused Macartney all his requests and sent the British delegation home. Nevertheless, the relationship between Great Britain and China would change quickly and dramatically. Fewer than fifty years after Macartney was rebuffed by the Qing court, British ships were attacking Chinese cities at will and dictating the terms of surrender. The opium trade would bring about this radical reversal in power.

Undaunted by Qianlong's refusal, the British decided that if the Chinese did not want British products, they would find a suitable replacement. As an alternative to manufactured goods, the British turned to opium. Because the British East India Company was governing India by 1800, it also controlled India's poppy fields and could produce as much opium as it needed. Opium use had been illegal in China since 1729, but in the 1760s the British began smuggling small amounts of the drug into Canton. After the Macartney mission, the British began to increase their shipments. Between 1760 and 1830 the number of chests sold in China went from fewer than one thousand to more than twenty thousand per year, and it is estimated that by 1838, there were nearly two million Chinese addicts. When the Hong were ordered by Qing officials to ban all opium transactions in Canton, the British simply moved the enterprise offshore to Lintin Island. In time, besides creating a public health crisis, the opium trade created an economic crisis as well. Not only were the British able to redress the imbalance of payments, but they also had forced the Chinese into cir-

cumstances in which they were the ones bleeding silver. This situation worsened after 1834, when the British government lifted the East India Company's monopoly and new British "entrepreneurs," competing with Americans, brought even more opium into China. By 1836 the Daoguang Emperor was desperate for a solution.

In 1838 the emperor appointed an imperial commissioner, Lin Zexu, to "fix" the opium problem. Commissioner Lin employed a number of tactics: moral exhortations, stiff punishments, confiscations of opium and pipes, and even a letter to Queen Victoria asking her to bring moral pressure to bear upon the scourge of opium selling. None of these measures was completely successful. Finally, Lin went after the source of the problem: the British traders in Canton, who were known to have stockpiled opium chests in their waterfront factories. When the British refused to turn over an opium merchant named Lancelot Dent to Commissioner Lin, Lin ordered the confiscation and destruction of three million pounds of opium, shut down the waterfront entirely, and ordered the British out of Canton.

Lin's actions were interpreted by the merchants as an affront to free trade, a theft of private property, and an insult to the British Crown. So incensed were the British that they sent a punitive expedition of sixteen warships to China in the summer of 1840. In a series of one-sided engagements along the Chinese coast between 1840 and 1842, British naval and amphibious forces overwhelmed the Chinese defenses. In 1842, as steam-powered warships anchored in the Chang River threatened to destroy the city of Nanjing, the Qing accepted the British terms of surrender.

### About the Author

Henry John Temple, 3rd Viscount Palmerston, was the foreign secretary of Great Britain during the Opium War. In this capacity he directed foreign policy for Queen Victoria, whose signature ratified the treaty, and he was the immediate superior of Sir Henry Pottinger, who signed as the British plenipotentiary. Lord Palmerston was, in a practical sense, the "author" of this document, if not the architect of the Opium War itself. A living emblem of British imperialism, Palmerston spent nearly sixty years in public life promoting the cause of British imperial power. He began his career as a conservative Tory, but coming of age in post-Napoleonic Europe, a time of dynamic political change, he came to embrace the spirit of nineteenth-century modernity, including its assumptions that economic efficiency and political reform were the keys to modern state power. At the height of his career, his thinking was more classically liberal than traditionally conservative, and his approach to the cultivation of Great Britain's strength was both rational and practical. Palmerston's reformist sentiments occasionally came into conflict with his imperial aspirations. In the 1830s, as the conflict between the Qing court and British trade merchants began to escalate over the issue of opium trading, Palmerston was less than enthusiastic about supporting merchants who violated Chinese laws. This position

## Time Line

1759

- James Flint of the British East India Company asks the Qing imperial court to address the extortion, bribes, and other corrupt practices of the Canton Hong and for an expansion of trading rights.

1760

- The Canton system is formalized, restricting all foreign trade to the waterfront of Canton (Guangzhou) during the "trading season" between October and March.

1770s

- British sales of opium in China surpass one thousand chests per year.

1780s

- The British East India Company suffers huge deficits in the silver-for-tea trade in China.

1793

- **September** Lord George Macartney meets with Emperor Qianlong to try to expand trading and diplomatic rights with China. Macartney's efforts to persuade the Chinese to purchase more manufactured goods are unsuccessful.



## Time Line

1800

- The Qing court passes an edict against the import and the domestic production of opium.

1821

- The Qing court again attempts to stop opium trade by refusing to let the Hong handle the product. As a result, bulk transactions of opium are moved offshore to Lintin Island.

1834

- The British East India Company loses its monopoly on Asian trade, and more private merchants enter the illicit opium trade.
- The British East India Company replaces company officials with royal officials, putting more pressure on China to open diplomatic relations.

1839

- **March–May** Commissioner Lin Zexu, appointed to remedy the opium problem, begins to rail publicly against opium use and orders punishments for users and sellers of the drug. Calling for an end to the opium trade, he confiscates three million pounds of opium from British merchants and bans all foreign trade.

changed quickly when Commissioner Lin began arresting British subjects and confiscating British property in 1839. Palmerston made the decision to deploy a naval task force against China and was persistent in pressing for a settlement that optimized Britain's interests.

## Explanation and Analysis of the Document

The Treaty of Nanjing was signed on August 29, 1842. It opens with a standard diplomatic preamble from the dominant signatory, Queen Victoria, who, along with her “Good Brother the Emperor of China,” presented this treaty to posterity. This verbiage, while fairly common according to the standards of the day, is remarkable considering that fewer than fifty years earlier, Victoria's predecessor, King George III, had been dismissed as a minor “barbarian” king by Daoguang's predecessor, Qianlong. That the signing took place aboard HMS *Cornwallis*, a British warship anchored in the Chang River, only added to the ponderous symbolism of the dramatic reversal in power between the British and Chinese empires in the previous half century. The preamble names the Chinese plenipotentiaries Qiying and Yilibu (called Keying and Elepoo in the document and spelled a variety of ways in historical writings) of the Qing court and Pottinger of Great Britain. An additional participant in the treaty was England's Queen Victoria, who signed the treaty and added above her signature and seal a passage in which she pledged that Great Britain would “sincerely and faithfully perform and observe all and singular the things which are contained and expressed in the Treaty.”

### ◆ Article I

Article I presents the formulaic pledges of peace and friendship between the rival nations that are standard in modern treaties but that strike the contemporary reader as ironic if not hypocritical, knowing that the British would have razed Nanjing had their friends, the Chinese, not accepted the terms. It is important to realize that the British, operating from their own standpoint of Enlightenment rationalism, did not insist on “peace and friendship” with any sense of irony. It was an accepted truth that no society remaining in a “barbarous” state could hope to attain any long-term historical satisfaction, and the British believed that they were bringing enlightenment to a backward civilization.

### ◆ Article II

Article II names the five treaty ports Canton (Guangzhou), Amoy (Xiamen), Foochow-fu (Fuzhou), Ningpo (Ningbo), and Shanghai and it provided for the establishment of foreign quarters and consulates in each city. This article is significant because it ended, for the British, one of the more irksome practices of the Canton system. It allowed foreign citizens and their families to live in China legally for the first time in history. It also demanded that British royal trade representatives serve as intermediaries between the merchants and Chinese trade officials. This situation had been a source of confusion after the British East India Com-

pany lost its monopoly. When the customary lines of communication between British company men and Hong merchants became unavailable, the Qing court experienced unwelcome pressure to deal equally with British officials.

#### ◆ Article III

Article III provided for the cession of Hong Kong to the British Crown. By 1842 Hong Kong had already been occupied by the British for several years. With the closing of Canton and Lintin Island by Commissioner Lin, British traders established a haven on the sparsely populated island. During an abortive peace attempt made in 1841 by the British trade superintendent Charles Elliot and the Qing official Qishan, Hong Kong had been offered as part of the settlement. That agreement was vetoed by both the Qing emperor, who thought it too generous, and Lord Palmerston, who thought it insufficient. Palmerston was especially dismayed that Elliot had agreed to accept such a worthless island. In retrospect, the acquisition of Hong Kong was one of the greatest triumphs in British imperial history. Within several decades the island was transformed into a bustling entrepôt, and in the twentieth century it became an international center for manufacturing, transportation, finance, and culture. Although the treaty gave Hong Kong to Britain “in perpetuity,” the legal status of the Crown colony would change over the years. In 1860 the British acquired additional territory in neighboring Kowloon and in 1898 even more land; these lands became designated as the “New Territories.” In 1898 the New Territories were leased to Great Britain for ninety-nine years. All of this territory, including Hong Kong itself, was returned to China in 1997.

#### ◆ Article IV

Article IV called for China to reimburse Britain for opium that had been confiscated and destroyed in 1839 by Commissioner Lin. Aside from this article, there are no other direct references to opium anywhere in the treaty, which is unusual considering the fact that the treaty ended an “opium” war. The problem was that opium trade was not legal before or after the war, and the war did not end the trade. Neither the British nor the Chinese were willing to treat opium as legitimate commerce, and contraband opium trafficking would continue until the Chinese Communist Party put an end to it in the early 1950s. This article reiterates that what was really at stake in this war was commercial and diplomatic power. It also indicates that the British possessed the extraordinary leverage to demand reimbursement for a product that was not legal in China or Great Britain. The reimbursement was assessed at \$6 million, payment of which was rendered in Mexican dollars, a silver coin of reliable quality that was recognized as world currency in the 1800s.

#### ◆ Article V

Article V ended the traditional Hong system that had vexed the British for so many years. The Cohong, or merchant guild, was now powerless to interfere with free trade in the treaty ports. British merchants operating in these cities claimed the right to do business with anybody they

### Time Line

1839

- **May**  
The British trade superintendent Charles Elliot seeks help from his government on how to respond to Commissioner Lin. The decision is made to send a punitive naval expedition to obtain “satisfaction” from China.

1842

- **August 29**  
The Treaty of Nanjing ends the two-year-long Opium War between China and Great Britain.

chose. The article also required the Chinese government to pay an additional \$3 million to cover the debts of Hong merchants who were in arrears to British merchants. The reason for this stipulation was that while the Canton system was in practice, the Qing court often used Cohong assets as an imperial cash reserve. When the Hong were required to make “contributions” to the court, they were often unable to purchase the commodities that the British had contracted to export. It was not uncommon for the British merchants themselves to cover the Hong on their wholesale purchases so that they could leave with their cargoes.

#### ◆ Article VI

Article VI demanded indemnities for the costs Britain had incurred fighting the Opium War. From the perspective of the post World War II warfare, in which the victor generally pays for the reconstruction of defeated nations, it seems difficult to imagine a day in which the conquering nation “sent the bill” to the conquered. Nevertheless, this practice was usual in nineteenth-century diplomacy. With thinking rooted firmly in the old mercantilist imperialism of the eighteenth century, it seemed prudent to keep a vanquished people poor; saddling them with war costs and punitive indemnities made it possible to retain them as captive markets. The ultimate folly of burdening the defeated nation with the costs for the war seems to have been one of the great lessons of the World War I, when a global depression made it impossible for nations to make their monetary reparations without causing hyperinflation or when forcing them to do so inadvertently triggered international lawlessness. The present-day practice of having







*Illustration of an attack by the Chinese on a British boat in Canton River during the Opium War* (Library of Congress)



*A tea warehouse in Canton* (© British Library Board All Rights Reserved 10977)

nations rebuild conquered enemies for the purpose of drawing them back into an allied economic bloc may also be an ultimately self-serving strategy, but it is undeniably more humane.

◆ **Articles VII–IX**

Article VII established the repayment schedule and interest for the \$21 million total in indemnities and reimbursements that China had to pay. Article VIII demanded the release of all British prisoners. This clause refers not only to British and Indian military personnel who may have been captured during the war but also to those traders who were incarcerated in the Canton factories during Commissioner Lin's initial shutdown of the contraband trade. Article IX required amnesty for all Chinese who may have collaborated or done business with the British during the Opium War. The British factories employed large numbers of Chinese subjects, many of whom were persecuted as contraband traders during the seizure.

◆ **Article X**

Article X provided for the publication of fixed tariffs (“duties” or “customs” fees) on imports and exports. The control of tariffs was a vital element of nineteenth-century diplomacy; what made these treaties unequal was the fact that they ensured that tariffs favored the winner. For states

that measured their national power in terms of balances of trade, the motive behind imperialism was to secure markets for their domestic manufactured products while reducing the costs of goods purchased abroad. Under the Canton system, it was impossible to predict how Hong brokers might have manipulated customs duties on imports (British goods) or inflated the price of products intended for export (Chinese goods). Requiring the Chinese to adhere to published tariff rates (and in the decades to come, dictating those tariff rates) was the signal achievement of the unequal treaties. It guaranteed the British easy and predictable access to foreign markets.

On the matter of transit duties, which were the fees paid by secondary merchants to bring goods from the port city into the interior, the British demanded here that the Chinese set an upper limit on these fees to keep British goods competitive outside the port cities. The final sentence of Article X contains the words “which shall not exceed.” To make sense, this passage has to be supplemented with the “Declaration respecting Transit Duties,” which is added near the end of the document, after the signature of the Chinese officials. The declaration states that British merchants are obligated to pay “fair and regular tariff of export and import customs and other dues.” It goes on to say that after those customs and dues have been paid, goods could be transferred to Chinese merchants, who

## Essential Quotes

*“The Emperor of China agrees to pay the sum of Six Millions of Dollars as the value of Opium which was delivered up at Canton in the Month of March 1839.”*

(Article IV)

*“The Government of China having compelled the British Merchants trading at Canton to deal exclusively with certain Chinese Merchants called Hong Merchants (or Cohong) ... agrees to abolish that practice in future at all Ports where British Merchants may reside, and to permit them to carry on their mercantile transactions with whatever persons they please.”*

(Article V)

*“The Government of Her Britannic Majesty having been obliged to send out an Expedition to demand and obtain redress for the violent and unjust Proceedings of the Chinese High Authorities towards her Britannic Majesty’s Officer and Subjects, the Emperor of China agrees to pay the sum of Twelve Millions of Dollars.”*

(Article VI)

again have to pay transit duties to transport the goods. Article X left open the amount of those duties. The added declaration simply concludes that duties “shall not exceed the present rates, which are upon a moderate scale.”

### ◆ Article XI

Article XI required that British and Chinese officials communicate as equals, avoiding derogatory terms and according due respect to each other’s offices. Under the Canton system, British East India officers had had no access to Chinese officials, and as the diplomatic exchanges between Britain and China from the Macartney mission forward show, British officials were treated as tributary barbarians. The historical irony of the insistence on “equality” is that the treaty was manifestly unequal. The lesson of power is vividly clear: As long as one possesses the firepower to destroy an enemy, one can claim as much respect as one demands, suggesting that equality is the last thing a nation employing superior force is actually seeking.

### ◆ Articles XII and XIII

Article XII states that once Great Britain received its first installment of indemnities, it would withdraw forces from

Nanjing but would leave a token force until all payments were made and the treaty ports were operational. Article XIII activated the treaty immediately on the authority of the signing plenipotentiaries, recognizing that it would take time for each nation’s sovereign to ratify the treaty personally.

### Audience

The audience for this treaty was the Chinese officials, merchants, and city magistrates whose lives would be altered forever by the presence of newly enfranchised foreign traders in their midst. It took some time before the reality of the treaty diplomacy sank into the urban populations of the treaty cities, and several skirmishes were fought even after the treaty was signed. The reality, though, was that the foreigners were in China to stay and that resistance against them would be answered by force. Of course, the treaty was also addressed to posterity and world opinion, and the commercial powers of the West paid very close attention, using the Treaty of Nanjing as their own model for unequal treaties that would be imposed on East Asian nations until the end of World War II.



## Impact

The Treaty of Nanjing redefined world diplomacy and helped set the stage for the emergence of the “new imperialism” of the late nineteenth century. It is not the case that the terms, or even the categories of terms, were new to the world or to China. As recently as 1835, the Chinese had voluntarily granted extraterritoriality, a consulate, and rights to control tariffs to Quqon (Kokand), a central Asian tributary state that sought these privileges in its dealings with the Chinese-controlled city of Kashgar (Kashi). The substantive difference between this famous settlement and the unequal treaties after 1842 was the degree to which China granted or was forced to grant these particular rights. While only the most pessimistic of Chinese would have believed that China was surrendering its autonomy to the maritime states of the West, the Western powers had no doubt that they were, and should be, controlling the conversation. Officials from the United States, France, and Russia studied the Treaty of Nanjing carefully and rushed to present their own versions to the Chinese government for signing soon after the treaty was ratified. The American-sponsored Treaty of Wangxia and the French-sponsored Treaty of Huangpu (Whampoa), both signed in 1844, were based on the Treaty of Nanjing and were even more complete in their demands. Not only did each of these treaties specify terms for extraterritoriality, which the Nanjing Treaty did not, but they also demanded “most favored nation” status, meaning that the United States and France would automatically receive any trade privileges granted by China to other nations in the future.

Great Britain received extraterritoriality and most-favored-nation status in the supplementary Treaty of the Bogue, signed in 1843.

For the rest of the nineteenth century, all Western powers operating in East Asia would impose unequal treaties on their new “friends” in the Pacific. The 1858 Treaty of Tianjin (Tientsin), among Great Britain, the United States, Russia, France, and China; the 1861 Commercial Treaty, between Prussia and China; and the 1896 Li-Lobanov Treaty (also called the Sino-Russian Secret Treaty), between Russia and China are only three in a long list of treaties that systematically reduced the Qing Empire to the status of semicolonialism. Perhaps the most humiliating of all was the 1895 Treaty of Shimonoseki (also known as the Treaty of Maguan), in which a modernized Japan adopted the role of the Western power, imposing its own unequal terms on China after its victory in the Sino-Japanese War.

In the domain of domestic politics, the Treaty of Nanjing demonstrated the weakness of the Manchu Qing rulers and precipitated a permanent legitimacy crisis for the Qing Dynasty. Less than a decade after the signing, the Taiping Rebellion would shake China to its foundations. This massive insurrection, informed by explosive antiforeign and anti-Qing sentiment, ended only with the help of foreign intervention, strengthening the hands of the treaty powers. Subsequent treaties would sap China of its sovereignty, and rebellions would plague the dynasty for the next sixty years. In many ways the Treaty of Nanjing marked the beginning of the end of imperial China, destroying the legitimacy of the Qing Dynasty and sending it into a downward spiral from which it would never recover.



### Questions for Further Study

1. Trace the history of Great Britain’s relationship with China using the Treaty of Nanjing, Qianlong’s Letter to George III, and Lin Zexu’s “Moral Advice to Queen Victoria.”
2. Treaties such as the Treaty of Nanjing are generally accounted as unequal, allowing commercial nations such as Great Britain to dominate colonies in Asia, Africa, and the Middle East. How was Great Britain—and other European powers—able to achieve such dominance? If the treaty was unequal, why did China not simply expel the British?
3. During the eighteenth and nineteenth centuries, the British East India Company, a private, commercial enterprise, assumed what could almost be characterized as governmental control in countries such as China and India. Using the Treaty of Nanjing and Queen Victoria’s Proclamation concerning India, explain how the East India Company was able to achieve this position.
4. How did the Treaty of Nanjing contribute to the implosion of imperial China?
5. In one sentence, explain to an interested listener what the Opium War was. In one more sentence, explain why the war was important.

## Further Reading

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Eric Cunningham



# TREATY OF NANJING

Victoria, by the Grace of God, Queen of the United Kingdom of Great Britain and Ireland, Defender of the Faith, etc., etc., etc. To All and Singular to whom these Presents shall come, Greeting!

Whereas a Treaty between Us and Our Good Brother the Emperor of China, was concluded and signed, in the English and Chinese Languages, on board Our Ship the Cornwallis, at Nanking, on the Twenty-ninth day of August, in the Year of Our Lord One Thousand Eight Hundred and Forty-two, by the Plenipotentiaries of Us and of Our said Good Brother, duly and respectively authorized for that purpose; which Treaty is hereunto annexed in Original.

## Treaty

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

### ◆ Article I.

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

protection for their persons and property within the Dominions of the other.

### ◆ Article II.

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

### ◆ Article III.

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

### ◆ Article IV.

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

### ◆ Article V.

The Government of China having compelled the British Merchants trading at Canton to deal exclusively with certain Chinese Merchants called Hong Merchants (or Cohong) who had been licensed by the Chinese Government for that purpose, the

## Document Text

Emperor of China agrees to abolish that practice in future at all Ports where British Merchants may reside, and to permit them to carry on their mercantile transactions with whatever persons they please, and His Imperial Majesty further agrees to pay to the British Government the sum of Three Millions of Dollars, on account of Debts due to British Subjects by some of the said Hong Merchants (or Cohong), who have become insolvent, and who owe very large sums of money to Subjects of Her Britannic Majesty.

### ◆ Article VI.

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

### ◆ Article VII.

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

Six Millions immediately.

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

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

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

### ◆ Article VIII.

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

### ◆ Article IX.

The Emperor of China agrees to publish and promulgate, under His Imperial Sign Manual and Seal, a full and entire amnesty and act of indemnity, to all Subjects of China on account of their having resided under, or having had dealings and intercourse with, or having entered the Service of Her Britannic Majesty, or of Her Majesty's Officers, and His Imperial Majesty further engages to release all Chinese Subjects who may be at this moment in confinement for similar reasons.

### ◆ Article X.

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

### ◆ Article XI.

It is agreed that Her Britannic Majesty's Chief High Officer in China shall correspond with the Chinese High Officers, both at the Capital and in the Provinces, under the term "Communication." The Subordinate British Officers and Chinese High Officers in the Provinces under the terms "Statement" on the part of the former, and on the part of the latter "Declaration" and the Subordinates of both Countries on a footing of perfect equality. Merchants and others not holding official situations and, therefore, not included in the above, on both sides, to use the term "Representation" in all Papers addressed to, or intended for the notice of the respective Governments.

### ◆ Article XII.

On the assent of the Emperor of China to this Treaty being received and the discharge of the first installment of money, Her Britannic Majesty's Forces will retire from Nanking and the Grand Canal, and will no longer molest or stop the Trade of China. The Military Post at Chinhai will also be withdrawn, but the Islands of Koolangsoo and that of Chusan will

**Document Text**

continue to be held by Her Majesty's Forces until the money payments, and the arrangements for opening the Ports to British Merchants be completed.

◆ **Article XIII.**

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

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

(L.S.) Henry Pottinger, Her Majesty's Plenipotentiary

[Signatures of Chinese Plenipotentiaries]  
Declaration respecting Transit Duties.

Whereas by the Xth Article of the Treaty between Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and His Majesty the Emperor of China, concluded and signed on board Her Britannic Majesty's ship Cornwallis, at Nanking, on the 29th day of August, 1842. ... it is stipulated and agreed, that His Majesty the Emperor of China shall establish at all the ports which, by the 2nd Article of the said Treaty, are to be thrown open for the resort of British merchants, a fair and regular tariff of export and import customs and other dues, which tariff shall be publicly notified and promulgated for general information; and further, that when British merchandise shall have once paid, at any of the said ports, the regulated customs and dues, agreeable to the tariff to be hereafter fixed, such merchandise may be conveyed by Chinese merchants to any province or city in the interior of the Empire of

China, on paying a further amount of duty as transit duty; And whereas the rate of transit duty to be so levied was not fixed by the said Treaty; Now, therefore, the undersigned Plenipotentiaries of Her Britannic Majesty, and of His Majesty the Emperor of China, do hereby, on proceeding to the exchange of the Ratifications of the said Treaty, agree and declare, that the further amount of duty to be so levied on British merchandise, as transit duty, shall not exceed the present rates, which are upon a moderate scale; and the Ratifications of the said Treaty are exchanged subject to the express declaration and stipulation herein contained.

In witness whereof the respective Plenipotentiaries have signed the present declaration, and have affixed thereto their respective seals.

Done at Hong-Kong, the 26th day of June, 1843

(L.S.) Henry Pottinger

[Seal and signature of Chinese Plenipotentiary]

We, having seen and considered the Treaty aforesaid, have approved, accepted, and confirmed the same in all and every one of its Articles and Clauses, as We do by these Presents approve, accept, confirm, and ratify it for Ourselves, Our Heirs, and Successors: Engaging and Promising upon Our Royal Word, that We will sincerely and faithfully perform and observe all and singular the things which are contained and expressed in the Treaty aforesaid, and that We will never suffer the same to be violated by any one, or transgressed in any manner, as far as it lies in Our Power.

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

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

(Signed) Victoria R.

**Glossary**

<b>Chapoo</b>	a seaport in present-day Zhejiang Province
<b>Chinhai</b>	a port in present-day South Korea
<b>Sign Manual</b>	the handwritten signature of the emperor of China