

The Kuldja Affair and its Significance in Sino-  
Russian Relations

By

UNIV. OF  
CALIFORNIA

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A.B. (University of California at Los Angeles) 1931

THESIS

Submitted in partial satisfaction of the requirements for the degree of

MASTER OF ARTS

in

History

in the

GRADUATE DIVISION

of the

UNIVERSITY OF CALIFORNIA

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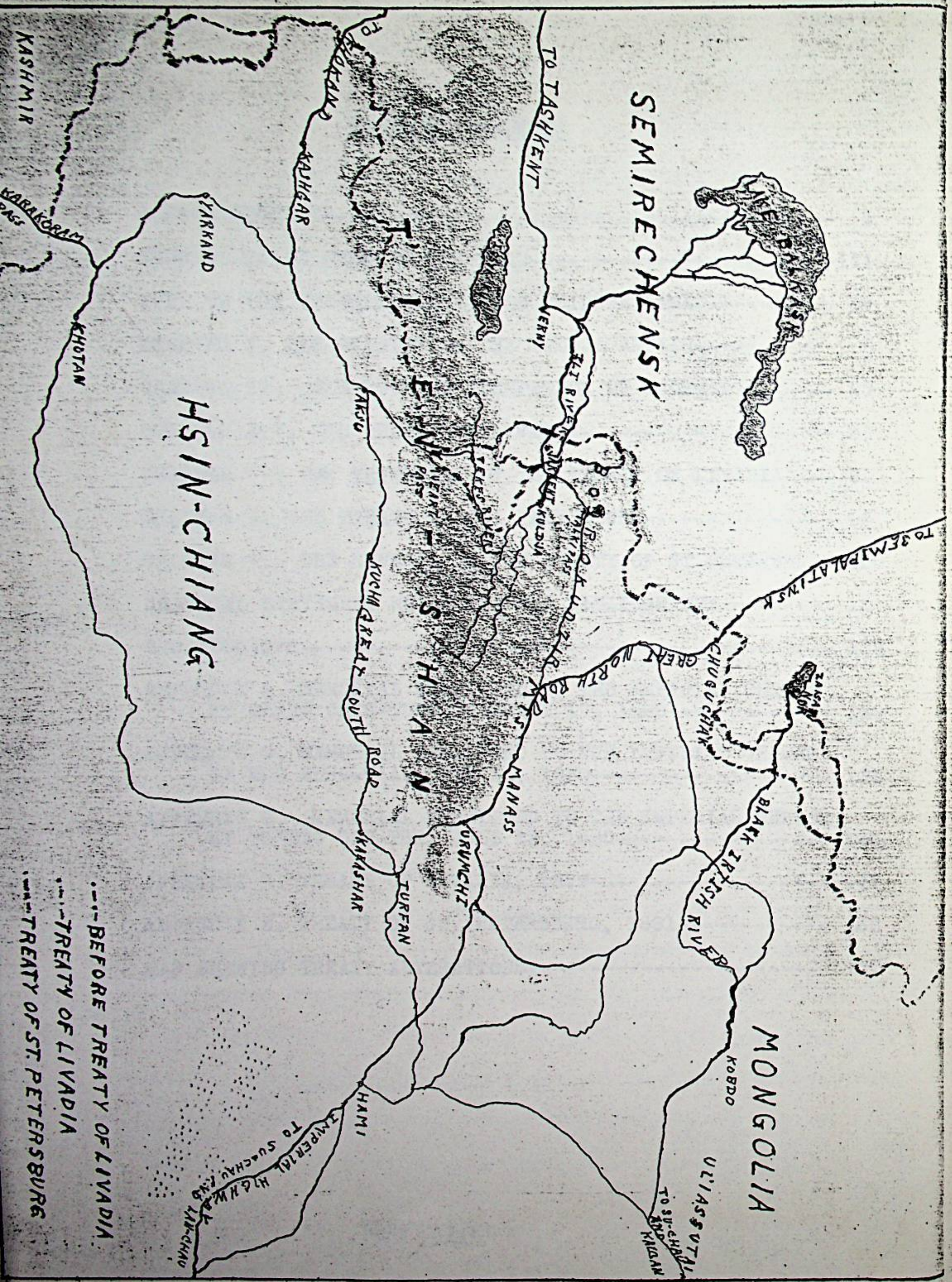
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--- BEFORE TREATY OF LIVADIA  
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 . . . . TREATY OF ST. PETERSBURG

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### ACKNOWLEDGMENT

The present study was greatly aided in its clarification by the translations by Miss Lienche Tu, M. A., a student in the History Department at the University of California. The three Memorials and the Treaty of Livadia, which are to be found in the Appendix, were translated by her from Chinese materials. The Treaty of Livadia is of especial importance as there was not hitherto in printed form a verbatim version in any European language except the Russian, and the whereabouts of the text of the latter is not known. In addition, Miss Tu was kind enough to permit me to read Chin Yao Chou Pi (Minutes of the Sino-Russian Conferences leading to the Treaty of St. Petersburg, 1881) likewise translated by her but as yet unpublished. This work has been of inestimable value, although I have drawn from it somewhat sparingly since I had no desire to detract from its importance when its translator wishes to have it published.

As I have so far had only an elementary study of the Russian language, Mr. Andrew Malozemoff was of considerable assistance for his translations of the necessary extracts from the volumes of the reports of the Russian General Staff, the Glavnyi Shtab, and from M. A. Terent'ev's history of the Russian conquest of Central Asia, as well as of the other works in that language which are cited in the Bibliography:

To Dr. Robert J. Kerner I am most highly indebted for his numerous suggestions in the pursuit of this topic and for his stimulation of my interest in the problems of historical research.

ABBREVIATIONS  
USED IN THE TEXT

Aitcheson, C. U., A Collection of Treaties, Engagements, and Sunnads relating to India and Neighboring Countries, VI, XI, XIV. ----- Aitcheson, C. U., A Collection of Treaties relating to India and Neighboring Countries, VI, XI, XIV.

Chin Yao Chou Pi (Minutes of the Sino-Russian Conferences Leading to the Treaty of St. Petersburg, 1881) -----  
Minutes of the Sino-Russian Conferences.

Cordier, Henri, Histoire des Relations de la Chine avec les Puissances occidentales, II. ----- Histoire des Relations de la Chine, II.

Cordier, Henri, Histoire des Relations de la Chine avec les Puissances occidentales, II, Memorandum of the Tsung-li Yamên, July 20, 1880 ----- Cordier, Henri, Histoire des Relations de la Chine, II, Memorandum of the Tsung-li Yamên.

Glavnyi Shtab Sbornik Geograficheskikh, topograficheskikh i statisticheskikh materialov po Asii, XII, XXVIII. -----  
Glavnyi Shtab, XII, XXVIII.

Great Britain, Foreign Office. Central Asia, No. 1 (1880), "Further Correspondence respecting Affairs in Central Asia: 1879", (c. 2470) ----- Central Asia, No. 1 (1880), (c. 2470).

Martens, F. F., "Le Conflit entre la Russie et la Chine, ses Origines, son Développement, et sa Portée universelle," Revue de Droit international et de Législation comparée, XII ----- Martens, F. F., "Le Conflit entre la Russie et la Chine".

Treaties, Conventions etc. between China and Foreign States, I. ----- Treaties, Conventions etc. I.

## NOTE ON THE TRANSLITERATION OF CHINESE NAMES

For the transliteration of the Chinese names the Wade System has been adhered to, except in so far as common usage has altered the spelling. Hence, Tientsin and Peking are written without aspirates or syllabification, but Ts'êng Chi-tsê is spelled in accordance with the Wade System.

## CHAPTER I

## THE ORIGINS OF THE KULDJA AFFAIR

Russia and China had maintained amicable relations since the Treaty of Nerchinsk. Nearly two hundred years after that treaty a crisis in Central Asia, known as the Kuldja Affair (1871-1881), intervened and threatened for a time to destroy the concord between the two nations.

Before entering into the details of this episode, it will be necessary to analyze the geographical conditions that have exerted a constant directive influence upon every state that has raised itself to power in Central Asia. Likewise, a summary exposition of the policies pursued by Russia and China in Central Asia antecedent to the Kuldja Affair will be advisable for a clear understanding of the subject of this account. Of especial significance in precipitating this affair were the internal conditions of China at that time.

The Kuldja or Ili<sup>1</sup> River valley forms the northwest portion of the Chinese province of Hsin-chiang. The Ili River flows generally westwards into Lake Balkash within Russian territory. The Ili valley thus opens toward Russian Turkestan and is closed off from China by the

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1) Kuldja is the Central Asiatic and Russian name for this region, while Ili is the Chinese designation. These terms are also employed interchangeably for the principal city of the valley.



Borokudzir Mountains on the north and by the towering ranges of the T'ien-shan on the south. Topographically, the valley is more closely associated with Russian than with Chinese territory. Through the centuries of the movements and counter-movements of the Asiatic tribes the accessibility of the Ili valley was repeatedly demonstrated. With Chuguchak to the north and Kashgar to the south, the Ili valley forms the mid-line of east-west transit for communications in Central Asia. The migratory Mongols and the great Tartar conquerors traversed the Ili valley and often remained to make it their headquarters. The valley's richness and vulnerability to seizure have given it a number of overlords. Yet though the Russo-Chinese boundary which cuts across the Ili valley may be unsound, the possession by Russia of this triangle would convert it into a wedge driven into the side of China. This salient would provide its master with control of the passes which look down upon the strategic and trade routes of China.

The most notable of these passes which pierce the mountain barriers of Ili is the famous Muzart, or Ice, Pass through the T'ien-shan. This alpine defile has been for centuries, in spite of its precipitousness and dangers, one of the chief means of passage from the fertile valley of Ili to the desert lands of the Tarim Basin in the

center of Hsin-chiang. Below the town of Aksu south of the T'ien-shan range, the Mugart road joins the westward extension of the Great South Road which leads eastward via Turfan and Karashar to meet at Hami with the Imperial Highway from Central Asia. To the north of Kuldja lies the Talki Pass. By means of this pass the Ili valley secures communication with the Great North Road which runs from Chuguchak, on the Chinese border, through Manass to Hami where it likewise unites with the Imperial Highway. From our survey, it may be seen that the Ili valley is so situated that the control of its environing mountains with the consequent charge of its passes would place in strategic subservience not only the territory adjacent to these mountains but also the military and trade routes leading into the heart of China.

It had been from ancient times the well-considered policy of Imperial China to maintain in subjection the border tribes of its huge domains. For from the deserts of the north and east irrupted the invasions which have destroyed the peace and independence of the Chinese people. In the first century B. C. the area about the T'ien-shan was subdued by China. But the tribes were

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1) Goode, Paul J., Rand McNally World Atlas (Universal Edition); Dingle, Edwin John, The New Atlas and Commercial Gazetteer of China; and Philip, George and Sar, Map of China, Manchuria, and Mongolia. The maps prepared by the Chinese are generally inaccurate and incomplete.

retained in no better than intermittent control through the succeeding centuries until the advent of the Manchu Dynasty.

In the seventeenth and eighteenth centuries China was once more menaced by Mongolian tribes. This time it was the Eleuth (Kalmuk) Confederacy which, from its centers to the north and the east of the T'ien-shan, had expanded and vanquished the Mohammedans of Kashgaria. The Confederation then threatened to subdue the K'alkha tribe which had served as a buffer state between China and the Eleuths.<sup>1</sup> The vigorous Manchu emperors K'ang Hsi and K'ien Lung were therefore plunged into a series of campaigns to render secure the frontiers of China from invasion. The Empire at that time was a formidable power, and a large portion of Central Asia acknowledged its suzerainty. The unstable Eleuth Confederacy could not withstand the conquering hosts of the Chinese. The Emperor K'ien Lung blotted out in 1759 all trace of the Confederacy<sup>2</sup> and it is said nearly exterminated the population to the north of the T'ien-shan by a massacre in which nearly a million perished.<sup>3</sup>

The newly conquered area was annexed to the Chinese Empire and placed under the charge of a military administrator.

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- 1) Cordier, Henri, Histoire des Relations de la Chine, II, 162-165.
  - 2) Idem.
  - 3) Glavnyi Shtab, XII, 92.

The Chinese then re-populated the desolated Ili valley with Taranchi from Kashgaria, as agriculturists, and with Dungsans, as a hired soldiery.<sup>1</sup> The Dungsans, who immigrated from the provinces of Kan-su and Shen-si, and the Taranchi were Mohammedans. As adherents of the militant and intolerant Sunnite schism of the Mohammedan creed, these two peoples were to become violently rebellious against Chinese authority. To these settlers were added military colonists known as Solons and Sibos who came from Mongolia. Their banner organizations were famed as faithful followers of the Manchus. The Ili valley also received a number of criminals largely from Southern China. Like Russian Siberia, this province was regarded as a kind of penal settlement. Besides the sedentary peoples, there were to be found nomad tribes of the Kirghiz within the ranges of the T'ien-shan. The Ili region was thus a center of deposit of a medley of antipathetic races. These discordant groups were kept quiet by the Governor-General, or Dzian Dziun, who was stationed with a consignment of troops in the capital seat and military garrison of Manchu Kuldja.<sup>2</sup>

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- 1) Jochelson, Waldemar, The Peoples of Asiatic Russia, 97, 105.
  - 2) Manchu Kuldja is also known as Hoi-yuan-chen and New Kuldja to distinguish it from Old Kuldja with which the Manchu citadel should not be confused. The city shown on maps is Old Kuldja, Manchu Kuldja having been almost razed to the ground in 1865 by the Dungsans.

The first years of Chinese rule were mild and considerate. Only when Manchu administration throughout China became diseased with corruption did the inhabitants of East Turkestan rebel. The abortive revolt of 1826 had its origins in the practices of the incompetent governing officials.<sup>1</sup> Following that year, the management of the affairs of the province was increasingly oppressive. Exorbitant taxation was one of the fundamental causes of unrest.

It is within China proper that we must seek for the occasion of the irruption of revolt in East Turkestan. The agitation against the Manchu Dynasty, long aggravated by the corruption of the provincial bureaucracy, finally culminated in the exhausting struggles of the religious-national T'ai-p'ing Rebellion and the Panthay uprisings. Disaffection extended through most of the Empire. Insurrection burst forth almost concurrently in Kuldja and in Kashgaria.

The Panthay or Mohammedan Rebellion of 1862 in Kan-su province was partly suppressed, but many of the insurgents took refuge in the towns along the main highway to Kuldja. As the Mohammedan Dungans were settled

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1) Cordier, Henri, Op. cit., 166.

in considerable numbers in these towns, tidings of the rebellion were borne to their co-religionists to the west. Disturbances among the town-dwelling Dungans of the Ili valley broke out in 1863 and again in March, 1864. No reinforcements could come to the aid of the Chinese garrisons, for the capture of the strategic city of Urumchi to the east by the Dungans had cut asunder the only link between China and Ili. The Manchu governing class were signally unwise and ineffective in curbing the Dungans<sup>1</sup> and the Taranchi who had joined in the revolt. When opportunities did present themselves for offenses against the insurgents, they were not taken advantage of. The Governor-General and his troops were invested within the walls of Manchu Kuldja. The garrison fell in January, 1866. The Dungans gave no quarter to the capital's inhabitants; all were slaughtered without discrimination. As the remaining garrisons of the valley soon capitulated, Chinese authority was completely expelled by the month of February.<sup>2</sup>

Against their common enemy the Dungans and Taranchi had fought together. Shortly afterward however, they

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- 1) Schuyler, Eugene, Turkestan, II, 178-188. This two-volume work contains the best account which I have found of the Kuldja insurrection.
  - 2) Cordier, Henri, Op. cit., 173, Memorandum of the Tsung-li Yamen.

were converting the Ili valley into a bloody shambles by their mutually destructive quarrels from which the Taranchi emerged victorious. Many of the defeated Dungs fled across the border into Russian territory. A succession of Taranchi chiefs then held precarious and short-lived tenure in the Ili valley. The last of the petty sovereigns was Abil Ogla who assumed for himself the title of Sultan.

The revolt south of the T'ien-shan in Kashgaria, before alluded to, had important bearing on the central theme of the Kuldja Affair, as the capture by the Dungs of the key city of Urumchi had severed the North and South Roads, the Chinese in Turkestan were isolated. Buzurg Khan, a descendant of the Khodja line of rulers of Kashgaria, had been in exile in Russian Turkestan. In 1864 he, with his lieutenant Yakub Beg and a few adherents, hastened across the border and raised the standard of a Holy War against the infidels.<sup>1</sup> So attenuated had the Imperial authority become that the Chinese officials were soon massacred and the military garrisons scattered and exterminated. Yakub Beg, having deposed Buzurg Khan, began in true Asiatic fashion to carve out an empire for himself. After having subdued all the cities of the Tarim

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1) Kuropatkin, A. N., Kashgaria, 159, 163.

Basin, he captured and added to his domain the commercial centers of Turfan and Urumchi.<sup>1</sup> Yakub Beg had by now so enhanced his power that he had become an object of serious concern to the Russians across his mountain frontiers.<sup>2</sup>

As the Chinese setting has been prepared for the opening chapter of this account, it will be advisable to provide here a survey of the circumstances that formed and directed Russian policy in Central Asia. After the Crimean War the Russian Central Asiatic advance may be said to have had two fundamental impulses. One was external and had its origins in the defeat of Russia in the Crimea by England.<sup>3</sup> Following this conflict, Russian statesmen saw in India the one point of English vulnerability. Hence Alexander II ordered an accelerated southward extension of Russian authority. The second motivation was internal and was inspired by the necessity of territorial integrity against the nomadic pillaging bands who placed all the border lands in a state of continual jeopardy. As a cogent account of the policy forced upon a civilized power in its dealings with intracable frontier tribes the Prince Gorchakov Circular of November 9/21,

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- 1) Schuyler, Eugene, Turkestan, II, 316.
  - 2) Cordier, Henri, Histoire des Relations de la Chine, II, 172.
  - 3) Driault, Édouard, La Question d'Orient depuis ses Origines jusqu'à Nos Jours, 192-193.



1864, is not excelled. This Circular, issued after the capture of Chimkent, was designed to have calmative influence upon the excitement of the British Foreign Office.

A portion of the Circular reads:

Our August Master has directed me to explain succinctly, but with clearness and precision, our position in Central Asia, the interests which prompt our action in that part of the world, and the aims which we pursue. The position of Russia in Central Asia is that of all civilized states which come in contact with half-savage, wandering tribes possessing no fixed social organization.

It invariably happens in such cases that the interests of security on the frontier, and of commercial relations, compel the more civilized state to exercise a certain ascendancy over neighbors whose turbulence and nomad instincts render them difficult to live with. First, we have incursions and pillage to suppress. In order to stop these we are compelled to reduce the tribes on our frontier to a more or less complete submission. Once this result is attained they become less troublesome, but in their turn they are exposed to the aggression of more distant tribes. The state is obliged to defend them against these depredations, and chastize those who commit them. Hence the necessity of distant and costly expeditions, repeated at frequent intervals, against an enemy whose social organization enables him to elude pursuit. If we content ourselves with chastizing the freebooters and then retire from them, the lesson is soon forgotten. Retreat is ascribed to weakness, for Asiatics respect only visible and palpable force; that arising from the exercise of reason and a regard for the interests of civilization has as yet no hold on them. The task has therefore to be performed over again.

In order to cut short these perpetual disorders we established strong places in the midst of a hostile population, and thus we obtained an ascendancy which shortly but surely reduced them to a more or less willing submission. But beyond

this line there are other tribes which soon provoke the same dangers, the same repressions. The state then finds itself on the horns of a dilemma. It must abandon the incessant struggle and deliver its frontier over to disorder, which renders property security and civilization impossible; or it must plunge into the depths of savage countries, where the difficulties and sacrifices to which it is exposed increase with each step in advance. Such has been the lot of all countries placed in the same conditions. The United States in America, France in Algiers, Holland in her colonies, England in India,--all have been inevitably drawn into a course wherein ambition plays a smaller part than imperious necessity, and where the greatest difficulty is in knowing where to stop.

The only error made by this Circular was the assumption that the Khanates would abide by their agreements and the apparent assumption that the Governors-General in Central Asia would act in accord with the statements of policy enunciated by the foreign office. The Governors-General were practically autonomous. Their nominal responsibility was to the War Office, but in reality they gave deference to the Tsar alone. Occasionally too, moves were made without application to the Emperor for permission. Each Governor-General, having had conferred upon him the right of carrying on relations with the neighboring Khanates, formulated his plan of procedure as frontier exigencies deemed to require. The infidelity of Khans

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1) British and Foreign State Papers, LVIII (1867-1868), 835-839, "Circulaire du Prince Gortchakoff aux Agents diplomatiques de la Russie, relativement a la Position de la Russie dans l'Asie centrale."

in fulfilling their trade agreements, the frequent robberies on the highways and the ill treatment of the Russian merchants within their domains all contrived to incline the Governors to exercise a free hand in their dealings with these rulers. Especially offensive were the plundering incursions of the nomadic Kirghiz. The pacification of the Khanates by annexation was an inevitable consequence. In this respect the Russians acted much as had the English in India. In 1867 General Kaufmann was made Governor-General of the newly created Province of Turkestan. General Kaufmann's authority extended over Semirechensk which abutted directly on the Ili valley. The Military Governor of Semirechensk, General Kolpakovsky, had as his concern the care of this portion of the Russo-Chinese frontier.

Throughout the whole of the Kuldja insurrection's duration the Russian officials' only purpose had been to maintain the border regions free of marauding expeditions.<sup>1</sup> General Kolpakovsky had given asylum, during 1866-1867, to about five thousand refugees who had fled from the depredations of the Kirghiz. The hospitable reception granted those seeking Russian protection as well as the presence of an observation corps on the frontier aroused in the Taranchi and Dungans fear and

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1) Schuyler, Eugene, Op. cit., 184.

suspicion as to the intentions of the Russians. The Sultan Abil Ogla in March 1868 dispatched two envoys to Vierny with a message which declared his desire for peaceful relations with the Russians. The Sultan also requested that Russian Kirghiz who had robbed his subjects be forced to return their plunder. The Russian General in command at Vierny made an amicable reply in which he said that he was stationed on the frontier to suppress marauding expeditions. He asked that the Sultan take the same precautions within his own borders. Although the Russian Kirghiz in accordance with the Sultan's request were compelled to return their booty, frontier conditions were in no wise improved. Robberies occurred even on the Russian post-roads. Wholesale thievery, particularly of cattle and sheep, continued in Russian territory. While the offenders were probably Russian Kirghiz, they made their headquarters within the domain of the Kuldja Sultanate. Here, as on all restless frontiers, mutual recriminations developed. Abil Ogla objected to the Russian efforts to recover the property losses of their subjects; the Russian mission of Baron Kaulbars at the close of 1870 to Kuldja was negative in result.

The Governor-General Kaufmann had by now come to

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1) Ibid., 186.

the conclusion that the continued existence of the Kuldja Sultanate with an ineffective ruler at its head should no longer be tolerated. During the same period relations between Russian Turkestan and the Emirate of Kashgaria were not unruffled. Although the border officials were by their position required to carry on frontier associations, yet the Russian government was reluctant to enter into formal relations with an insurgent against a friendly power. The conversations with Yakub Beg, like those with Abil Oglan, centered around the vexatious questions of trade protection and border security.<sup>1</sup> In 1868 General Kaufmann had Fort Naryn constructed in the mountains north of Kashgaria. In reply to Yakub Beg's objections to the creation of this outpost the Governor-General insisted that, as the Emir did not honor the Russo-Chinese treaties,<sup>2</sup> more adequate means of precaution had to be taken. In the meantime, Yakub Beg had defeated the Dungans and occupied their town of Turfan in July, 1869.<sup>3</sup> As the Russians feared that Yakub had designs upon the Ili Valley, they occupied the Muzart Pass in August of the following year.<sup>4</sup> The Beg's interest in the Pass was evident, for he had ordered

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- 1) Schuyler, Eugene, Turkestan, II, 317; and Kuropatkin, A. N. Kashgaria, 60-61.
  - 2) Schuyler, Eugene, Op. cit., II, 319.
  - 3) Idem.
  - 4) Terent'ev, M. A., Istoriia Zavoevenia Srednei Asii c Kartami i Planami, II, 19, 20.

its improvement and had commanded furthermore that all caravans having Kuldja as their destination must use this route. As he had a picket stationed at the Pass's southern entrance and had likewise fortified the town of Akau but a few miles to the south of the Pass, the Russian consignment guarding it could not well have prevented a hostile venture against Kuldja.

Dr. F. F. Martens, who may be regarded as the unofficial spokesman of the Russian Foreign Office, composed in 1880 a lucid and forceful exposition of the Russian policy toward China for the law periodical, Revue de Droit international et de Législation comparée. The author directed his attention to yet another aspect of Russian concern in Central Asia. Adverting to the T'ap'ing and Panthay Rebellions within China and the turmoil on that nation's northwestern frontiers he continued: "Russia remained during these years a quiescent spectator of these struggles, although her commerce with the interior of China, guaranteed by treaties, was almost entirely interrupted."<sup>1</sup> It must be understood that in this regard the Russian Imperial Government was clearly bound to foster the export trade of its merchants. The encouragement

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1) Martens, F. F., "Le Conflit entre la Russie et la Chine", 613.

of exportation of merchandise was an ever present necessity for the maintenance of a government whose finances were frequently in a precarious state. For obviously a nation as economically backward as Russia could not absorb the products of her own rapidly advancing industrial expansion. Neither was Russia well adapted to compete in the home markets of the Western nations. Hence, there was a continued insistence in all diplomatic intercourse with China upon an extension of commercial privileges and of consular representation. The Treaty of Kuldja (1851) had granted consulates for the towns of Kuldja and Chuguchak and the Treaty of Peking (1860)<sup>1</sup> opened the town of Kashgar to commercial relations. The latter treaty, moreover, cut a still greater breach in the excessively restricted relations between the two nations, for now Russian merchants had conferred upon them the right of commerce along the whole Russo-Chinese frontier line.<sup>2</sup> A considerable portion of the merchandise sold by the Russians in Central Asia consisted of cloth goods in which commodity they made an apparently better adaptation to the nation's requirements than had

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1) Treaties, Conventions, etc., I.

2) Professor Martens dwells at length upon the securing of these trade privileges. Martens, P. F. Op. cit., 583-87.

the English purveyors of the same fabrics.<sup>1</sup>

The English interest in trade in Central Asia was sufficiently great. In 1870, the Indian Government dispatched the Forsyth Mission to Yakub Beg at Kashgar.<sup>2</sup> Yakub Beg was worthy of the vigilant attention of Russian officials as he had shown little grace toward their overtures of amity or threats of reprisal. Now it appeared that the Beg was not at all adverse to the proffers of the English for a commercial agreement. Although Russian relations with Kashgaria were in such a perilous state that General Kaufmann did advance troops well up to its frontiers, yet it is unlikely that the decisive step of occupation would have taken place. Sir Richard Temple in his work India in 1880<sup>3</sup> asserted that the Russian occupation of Kashgaria could only be regarded as the assumption of a position that would seriously impinge upon the long established interests of England in Afghanistan.

Professor Martens, who does not mention any interest of the British in Central Asia, concisely painted the predicament as it was directly presented to the Russian border administration:

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- 1) Dilke, Ashton W., "On the Valley of the Ili and the Water System of Russian Turkestan", Proceedings of the Royal Geographical Society, XVII, 253.
  - 2) An Indian Officer, Russia's March on India, I, 261.
  - 3) P. 431.



"But this rôle [of passive spectator] could not be sustained. The Dungan government of Kuldja possessed no stability whatsoever: the Dungan chiefs were cutting each others' throats; the intestine struggles between the various parties never ceased, and the areas bordering the Russian possessions were constantly disturbed. This situation finally became intolerable; thus by the force of circumstances Russia was pushed always into the interior of Central Asia. The security of the Government of Turkestan and of all the Russian possessions in Central Asia were constantly menaced by the frontier disorders and by the incessant movements of the Musselmans in Eastern Asia."<sup>1</sup>

The Russian Government repeatedly called the attention of Peking to the state of affairs in Kuldja and to the Chinese obligations<sup>2</sup> of maintaining order on the frontier. Conditions were quite at variance with those at the time of the Treaty of Nerchinsk, nearly two hundred years before, when Russia was constrained to yield up the Amur country because she had not then the vigor to control that distant territory. The Chinese Government now found itself quite incompetent to force the submission of its own rebellious subjects.

The intransigence of Yakub Beg and the Russian jealous regard of Kashgaria as being in danger of coming

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1) Martens, F. F., Op. cit., 613. It is very possible that the Russian officials were apprehensive of the susceptibility of the but recently pacified Mohammedan tribes in Russian Turkestan to the contagion of rebellion. For a comment on this subject see the work entitled Russia's March on India, I, 259, by An Indian Officer.

2) Martens, F. F., Op. cit., 614.

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under the purview of English interests<sup>1</sup> conspired to focus the attention of the Russian Turkestan administration upon the Kuldja Sultanate. This little kingdom lay within too easy grasp of Yakub Beg's overweening ambition. The occupation of Kuldja would be a counter-move to any aspirations of Yakub Beg and hence of the English to whose tutelage the Emir might surrender. Furthermore, as has been repeatedly emphasized, the border turmoil which was now entirely out of rein, could not be permitted to continue. Repeated representations to Peking were idle so long as the Chinese Government's authority was so circumscribed in its scope as to be confined within the Eighteen Provinces. Events and possibly inclination as well made the suppression of the Kuldja principality inevitable. Circumstances were provocative enough to justify its extinction, in the opinion of Russian Turkestan officialdom.

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1) In the British Blue Books of 1873 (LXXV, 693 )c. 699) Central Asia, No. 1) there is to be found a reference in a communication of General Kaufmann to Prince Gorchakov, dated November 17/29, 1872, which touches on this concern of the Russians. General Kaufmann writes with reference to the possible extension of the Emir of Afghanistan's frontiers: "Finally, his (the Emir's) northwestern frontiers would touch the possessions of Yakoub Bek. Here is a road that would lead straight into collision with Russia."

## CHAPTER II

## THE RUSSIAN OCCUPATION OF KULDJA

General Kolpakovsky, military Governor of Semirechensk, under direction of General Kaufmann, took command of the Russian forces which had been increased in number and assembled at Borokhudzir on the border. A body of Taranchis having attacked a Russian outpost which had crossed the frontier, the massed troops of the Russians began their rapid advance on June 12/24, 1871. The campaign was short and conclusive. Town after town capitulated; a small body of Taranchis obstructing the way of march was quickly scattered. On June 21/July 3, the Sultan Abil Ogl'a's envoys sent his submission and on the same day the Sultan delivered himself up. On the following day, June 22/July 4,<sup>1</sup> General Kolpakovsky entered the capital of Old Kuldja.

Eugene Schuyler has provided a curious account of the occupation of Kuldja in an extract from the reports of the Chinese official, Lu-tsun-hang, who had designed his memoranda for the Chinese Emperor. A portion of Lu's report is worthy of quotation for its picturesque interest:

Once again they fought; the Turkistani were dispersed, each one seeking to save his life. The Dzian-Dziun of Semiretch (General Kolpakovsky) accepting the declaration of submission both from the Chinese and Turkistani troops, and assuring them of mercy, immediately marched to Suidun. Here the Turkistanis and the Chinese Musselmans again met the enemy in battle. The balls and

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1) Schuyler, Eugene, Turkestan, II, 186-187.

bullets of the Russian army flew like a shower, like a flight of grasshoppers. Of wounded and killed of every kind of people there were not a few. The Turkistani were defeated, and in great confusion returned to the city of Kuldja. The Dzian-Dziun of Semiretch quieted in every way those who remained in Suidun, both Mantchus and Chinese, both soldiery and civilians, as well as the Chinese Musselmans, not harming anyone; not even a blade of grass, nor a single tree, nor a fowl, nor a dog received any harm or injury, not a hair was touched. All this is owing to the orders of the Dzian-Dziun of Semiretch... 1

A well-considered and carefully composed report throwing into relief all the urgent reasons for the occupation of Kuldja and requesting permission for the advance had been forwarded by the Governor-General to St. Petersburg. But almost immediately afterward, the Taranchis had attacked the Russian outpost, as related above, and General Kolpakovsky had led his troops across the frontier. General Kaufmann had surveyed the requirements of his situation and then had moved quickly and decisively. We have here a vivid example of a frontier official who, in a free-handed interpretation of the powers conferred upon him, proceeds to act as circumstances dictate. The home government confronted with a fait accompli must make as good face as possible of the deed, and the foreign office has the responsibility of conveying to the nation concerned the pacific intentions of its own government.

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1) Ibid., 187.

A portion of the Prince Gorchakov Circular of 1864 has been quoted as expressive of the official attitude of the Russian Government toward territorial acquisitions in Central Asia. The occupation of Kuldja was but a further demonstration of the rôle of pacificator that Russia was playing in Central Asia. Border insecurity had once more prompted the advance of Russian troops. But however complacently General Kaufmann may have viewed the occupation of Kuldja, the Government at St. Petersburg accepted with little favor his forthright action. Although a decade later, when China was negotiating for the return of the Kuldja province, the Russian Foreign Office exhibited none of the compunctions which it may have experienced in 1871, it must have been cognizant at the time of the distinction between the absorption of a Central Asiatic khanate and an intrusion within the confines of the Chinese Empire.

Hence, the Foreign Office instructed Vlangaly, the Russian Minister at Peking, to give formal notification to the Chinese Court on August 16/28 of the occupation of Kuldja as an imperative action, declaring at the same time the readiness of its Government to withdraw the Russian troops as soon as China displayed capacity for maintaining order among her rebellious subjects in that region and of tranquillizing the border lands. As

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1) Bartold, V. V., Die geographische und historische Erforschung des Orients, 167; and Cordier, Henri, Op. cit., 172, Memorandum of the Tsung-li Yamén.

Professor Martens affirms, Russia, in occupying and pacifying Kuldja until China would be enabled to restore her authority there, had no thought of constituting herself the "concierge" of the Chinese Government. Russia<sup>1</sup> had in view only the security of her own possessions.

One of the first acts of General Kolpakovsky after the stationing of troops in Kuldja was to set at liberty<sup>2</sup> all the slaves within the occupied area. The Russian Government had always been hostile to slavery and the slave traffic in the Khanates. The humanity of releasing thousands of these human beings was one of the best justifications for the conquest of the Central Asiatic domains. In addition to this measure, the ruling tribe of the Taranchis was deprived of its political superiority. The Taranchis had hitherto supplied the elders and tax-gatherers for the other tribes. Now they<sup>3</sup> were forced to concede self-government to all alike. This was in harmony with the policy of the Russian military whenever it took over the control of a newly conquered territory. The motley assortment of tribes

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1) Martens, F. F., "Le Conflit entre la Russie et la Chine", 616-617.

2) The Times London, February 12, 1872, p. 4, "Central Asia". The London correspondent states that no less than 100,000 slaves were freed. This figure is open to doubt as the population had been greatly decimated by the carnage of the previous years.

3) Idem.

dwelling in hatred and fear of each other had been troubled as to whether their new overlords would not exercise the same oppression as had their previous masters. Their apprehensions were soon relieved by the equality of treatment granted them and by the return of tribal autonomy.

The London Times correspondent's comment on the occupation likely mirrors the general British conception of the motive of the Russians' presence in the Kuldja valley. The correspondent writes that conquest among the semibarbarians of Central Asia is as cheap as it is remunerative. The investment of only 10,000 yielded to the Russian Government not only the district of Kuldja, rich in mineral and vegetable wealth, but also a route for ingress to China, a passage for long the object of desire by all commercial nations.

The strategic advantage of securing a position on the northern declivity of the T'ien-shan, the writer adds, cannot but enhance the strength of the Russian invader in the very heart of the continent of Asia.

While conceding the shrewdness of the observations on the part of the Times correspondent, no certified

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1) The Times [London], "Central Asia", February 12, 1872, p. 4.

evidence has been divulged to indicate that General Kaufmann had in mind the permanent acquisition of the Ili valley. Nevertheless, General Kaufmann while Governor-General of Turkestan did pursue an aggressive forward policy. But the Imperial Government at St. Petersburg had not been informed of the General's action until it had been completed. On receipt of General Kaufmann's carefully drawn report St. Petersburg Government did countenance with at least a show of reluctance the General's bold act of suppressing the Kuldja Sultanate.

The discussions between the Russian and Chinese Governments that ensued provide a useful example of the procedure followed by a nation once it perceives that it has gained a tactical advantage over its neighbor. The Government at St. Petersburg had probably experienced some qualms in accepting the occupation of Kuldja. But now in occupancy, the Russian Foreign Office determined to divert good fortune in its own direction by utilizing the Kuldja province as a hostage for the attainment of commercial advantage. Such was Russia's purpose, although it was not immediately disclosed to the Chinese.

The Tsung-li Yamên (the Chinese Foreign Office) having been informed of the occupation of Kuldja, notified the Imperial Court of the action. The Russian Minister at Peking, Vlangaly, had advised that a high



functionary be dispatched to Kuldja for a pourparler with the Russian officials stationed there. Hence, Marshall Jong,<sup>1</sup> on a decree of the Manchu Court, was commissioned to depart for Kuldja. General Bogolavsky was appointed to meet with Marshall Jong at Kuldja. General Bogolavsky had been instructed by his superiors at St. Petersburg to return the Ili territory after verifying that Chinese forces were stationed there in sufficient numbers to preserve order. Meantime, the Chinese military commanders had succeeded in placing about two thousand troops in the valley for that purpose.<sup>2</sup> As may be anticipated, General Bogolavsky accounted this number as quite insufficient, although an estimation from the Glavnyi Shtab indicates that there were less than one thousand Russian troops stationed in Kuldja.<sup>3</sup> Since General Bogolavsky regarded with disfavor the proposal of a joint Russo-Chinese occupation, he was ordered to Peking to explain to the Tsung-li Yamén the state of affairs.

On September 14/26, 1872, the General, accompanied by the Minister Vlangaly, had an interview with the

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- 1) Cordier, Henri, Histoire des Relations de la Chine, II, 173, Memorandum of the Tsung-li Yamén. Hoo Chi-tsai, Les Bases conventionnelles des Relations modernes entre la Chine et la Russie, 372-373.
  - 2) Cordier, Henri, Op. cit., 174, footnote.
  - 3) Glavnyi Shtab, XXVIII, 116.

Tsung-li Yamên. The members of the Yamên remarked with Oriental suavity and obliqueness of statement that since the Russian troops had so long occupied Kuldja, they surely must be weary and their expenses considerable. But the two Russian representatives replied that the expenses of occupation were an entirely subordinate consideration. They would inform their own Government that after the retrocession of Ili into the hands of Marshal Jong, Russia could be assured that the control of that province by China would not be disturbed.

A diplomat, whose name is not provided by Cordier, wrote from Peking with some humor about this conference of the Russian envoy with the Tsung-li Yamên.<sup>1</sup> General Bogolavsky, the diplomat commented, did not conceal his vexation over the indifferent results of his mission. The General had not made a success of his attempt to convince the Tsung-li Yamên of the advantages that would accrue to China by permitting her neighbor to administer Ili. The disappointed Russian envoy departed forthwith, leaving to Vlangaly the burden of continuing his demonstrations. The latter in a fit of pique angrily remarked to the anonymous diplomat: "There is nothing to be done

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1) Cordier, Henri, Op. cit., 174-175, footnote.

with these people. It is purely a question of amour-propre. They well know that they will never be able to recapture Ili, but they are bent on rejecting all agreement in order, as they say in Chinese, 'not to lose face'." <sup>1</sup> Vlangaly revealed Russia's expectations by his <sup>2</sup> hasty and injudicious outburst of impatience.

Meantime in the same year of 1872, a Russian political and commercial mission under Baron Kaulbars was dispatched by Governor-General Kaufmann to visit Yakub Beg at Kashgar and conclude between the Russian empire and Kashgaria <sup>3</sup> a treaty of amity and commerce. This treaty, dated May 27/June 8, 1872, conferred upon Russian merchants the right of trade through Yakub Beg's realm (Article I), on the payment of two and one-half percent tariff (Article V), and complete freedom and security of person within all Kashgaria (Article IV). By securing a conventional relationship with Yakub Beg, Russia tacitly recognized the independence of the Emir although his

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1) Ibid., 175, footnote.

2) Hugo Stumm writes in Russia in Central Asia, 279, that such tribes as the Kalmucks of the Ili valley were reckoned as subjects of Russia in the tabulations of population. It may be observed that many of the maps accompanying works on Central Asia published in the 1870's indicate the Ili valley as an integral part of Russia. For such maps see those in: Hugo Stumm's Russia in Central Asia..., Alexander Petzholdt's Umschau im russischen Turkestan..., and Demetrius Charles Boulger's England and Russia in Central Asia, II. Mr. Boulger's map is a copy of the large scale original from the office of the Russian General Staff.

3) Aitcheson, C. U., A Collection of Treaties relating to India and Neighboring Countries, XI, 297-98, Russian Treaty with Yakub, May 27/June 8, 1872.

kingdom was inside the Chinese boundaries as stipulated in the Russo-Chinese treaties. There is no recorded protest on the part of Peking to this conduct so contrary to the comity of nations. In fact, Great Britain as a result of the two Forsyth Missions concluded a commercial treaty<sup>1</sup> in 1874 with Yakub Beg. Russia and England were rivaling each other in the struggle for Central Asiatic markets and Kashgaria was one of the focal areas.

The political significance of the Russo-Kashgarian treaty lay in the pretext it afforded Russia of going to war against Yakub Beg if she chose to extend her frontier farther to the east and south.<sup>2</sup> The treaty itself was never strictly honored by the Emir--he regarded trade as his own monopoly--, but some advantages of assurance and liberty were accorded the Russian merchants.

What indeed were China's possibilities of restoring order out of the chaos left by the fearful devastations of the T'ai-p'ing and Panthay Rebellions? Undoubtedly the nation's vitality had been greatly depleted. Nevertheless, even while the Russian Minister was parleying with the Tsung-li Yamên, the Imperial troops were with grim thoroughness obliterating all trace of rebellion in the northwest provinces of Shensi and Kansu.

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1) Ibid., XIV, 7-11, Treaty between the British Government and his Highness the Ameer Mahomed Yakoob Khan, Ruler of the Territory of Kashgar and Yarkund.... Jan 21/Feb. 2, 1874.

2) Kuropatkin, A. N.; Kashgaria, 62.

Vlangaly again on October 11/23, 1872, had an interview with the Tsung-li Yamên. The mandarins of the Yamên now tartly retorted to the Russian Minister's protestations, saying that since Kuldja was to be delivered to China only in the undetermined future it appeared that the province was not going to be returned at all.

Vlangaly re-emphasized that Russia had no thought of possessing unjustly any Chinese territory.<sup>1</sup> The Russian Minister then discussed the course of action that should be pursued for the retrocession of Ili. A proces-verbal of this conversation was drawn by the Yamên and submitted to Vlangaly for his consideration. Vlangaly replied on the 19/31 of October, maintaining that the rendition of Ili to Chinese sovereignty must be studied in conjunction with all the other questions outstanding between the two empires.<sup>2</sup> Vlangaly was undoubtedly referring to the insistent pressure of Russia for a broadening of the over-restricted avenues of commerce that led from Siberia into China. The grip on the Kuldja province, which province was well-known to be highly prized by the Chinese, appeared as a covert threat for the forcing of the expansion of trade privileges. The Russian Foreign

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1) Cordier, Henri, Op. cit., 175, Memorandum of the Tsung-li Yamên.  
 2) Idem.

Office was attempting to link together the questions of the restoration of the region and the attainment of its commercial designs. The Russians had assessed and well understood the value of the Chinese overland trade. This trade did not have to meet in unequal competition with the sea-going commerce of England and the other Western industrial nations.<sup>1</sup> The Tsung-li Yamên on the other hand, did not perceive that there was any obligation for its acquiescing to an agreement that aligned side by side a diplomatic and a commercial problem.

M. Butzov who had replaced Vlangaly in 1874 as Minister to Peking, now continued his predecessor's policy. The Minister suggested a revision of the existing conventions for overland trade relations to the transport of tea through the Chia-yu-kuan Pass along the Kiakhta-Peking caravan route.<sup>2</sup> The response of the Tsung-li Yamên dated January 2/14, 1876, reaffirmed in the following words China's position of refusing to associate the Kuldja question with purely commercial considerations:

"We told him that it was necessary to wait until we had retaken Urumchi and had Ili restored to us. Moreover, the settlement of this affair

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- 1) The opening of the Suez Canal in 1869 had redirected and greatly reduced the charges for ocean shipping and virtually destroyed the Russo-Chinese Overland tea trade market in Europe.
  - 2) Professor Martens states in his article, "Le Conflit entre la Russie et la Chine", 586, that tea alone was recognized to be cheaper to transport into Russia by land than by sea.

was the concern of the Viceroy Tso, and thus there was no obligation to attach it to the present land convention."<sup>1</sup>

The Viceroy Tso Tsung-t'ang, cited in the above quotation, had had conferred upon him the command of the troops for suppression of the rebellious Mohammedans west of the Great Wall. Hampered by the lack of supplies and funds, General Tso's march of reconquest had by the early part of 1876 carried him only to Hami, in eastern Hsin-chiang. Even now, however, the recuperative power of the Manchu government was manifesting itself. The Tsung-li Yamên had justification for the obdurate face it presented in curtly refusing to be compliant to the Russian Minister's implication that Kuldja was a hostage held by Russia for the aggrandizement of her commercial privileges. Thus matters continued to float in uncertain suspension while General Tso's bloody march of extermination tediously crept westward beyond the Great Wall and across the Desert of Gobi.

The Chinese commander advanced upon the borders of Yakub Beg's desert domains with greater than necessary caution. The Beg's Emirate which had been so

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1) Cordier, Henri, Op. cit., 175-176, Memorandum of the Tsung-li Yamên.

grandly extolled by the English for its order, stability, and strength was soon to fall in shattered ruin before the presence of the Imperial soldiery. General Tso's arms were invincible. The troops moved leisurely since it was their leader's deliberate consideration to root out all vestiges of the insurrection along the line of march. Should a town or village have the temerity to resist his army its inhabitants were regularly exterminated. The town of Manass, an emporium on the North Road, fell victim to this systemized ferocity of the Imperial army. Governor-General Kaufmann, constituting himself as a kind of representative of Western humanitarianism, dispatched an elaborately polite remonstrance to General Tso Tsung-t'ang. The letter is dated November 4/16, 1876:

In my capacity as representative to Turkestan of a great, just, and humane Emperor, I appeal to you, most honorable Tso Tsung-t'ang, as Commander-in-Chief of the army of a great and friendly power, I account it necessary to draw your attention to the manner in which warfare is being conducted by the Imperial troops of the Bogdo Khan in the territory situated to the west of Guchen where the population is largely composed of Dungans.

You are aware, most honorable Tso Tsung-t'ang, that the detachment which is commanded by the Tsiang-kiun Kin besieged the town of Manass for two months last autumn. 2

Then the Governor-General relates how the Chinese commander Kin violated his promised word of complete amnesty should

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- 1) Russian title for the Emperor of China.
  - 2) Cordier, Henri, Op. cit., 178, Letter of General Kaufmann to Tso Tsung-t'ang, Jan. 25/Feb. 6, 1877.



the town capitulate, for, no sooner was Manass surrendered to the Chinese, than the Imperial warriors proceeded to massacre more than fifteen hundred of its Dungan inhabitants, men, women, and children.

Kaufmann continues:

Such acts, as cruel as they are treacherous, are not worthy of the commander of the army of a great power and cannot but produce the most detrimental impression upon the spirit of the peoples that the Chinese Government proposes to subdue to its authority. Cruelties so terrible as these can only have as their direct result the complete depopulation of the country and will certainly be very prejudicial to the interests of the Chinese Government itself.

The Russians did not forget the massacres of Tso Tsung-t'ang. When Chung-hou was negotiating in 1879 for the rendition of Kuldja, these massacres afforded an excellent occasion for the Russian requisition of a corner of highly prized territory comprising a sector of the Ili valley and the strategically important Tekes valley, including the Muzart Pass at its head, as a land of refuge for those who would desire Russian protection. By Article VII of both the Treaty of Livadia in 1879 and the same article of the Treaty of St. Petersburg two years later, there was provided such asylum for those who would choose to become Russian subjects.

Yakub Beg's fortunes in 1877 were rapidly descending. The troops which he had ordered to Urumchi to ward off the

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1) Appendices D and E, Treaties of Livadia and St. Petersburg.

(Ta-pan Ch'eng or Dawan Ch'eng, oasis near the pass on the road between Urumchi & Turfan.)

Chinese soon fell into a rapid and ignominious retreat. After the Chinese captured Dewanchi on the eastern borders of the Tarim Basin, they put to death the soldiers from the foreign lands of Bokhara and Khokand but spared those from Kashgar, Khotan, Turfan and other towns which were within the confines of the Chinese Empire. Thus the Chinese, by the pardon of the troops whose homeland was within the Empire, adroitly severed the allegiance of large numbers of the Emir's subjects. Faced with dissension in his following the Emir, who was in Kurla at the time, fell into despondency and shortly afterward died, possibly from poisoning. With Yakub Beg's death vanished the shadowy glory of his kingdom's independence. Before the year was out the Chinese troops had occupied the town of Kashgar. Yakub Beg's sons, who had been disputing over their patrimony, were driven from the land and the Chinese were engaged in restoring peace and order to this harried province.

With the Imperial banner once more aloft in Kashgaria, General Tso Tsung-t'ang accounted the time appropriate to demand of the Russians the fulfillment of their promise to return Ili to Chinese authority. Consequently, he preferred a formal request upon the Russian officials that they evacuate the province of Ili. The arrogant manner in which the

- 1) Central Asia, No. 1 (1880) (c. 2470), Inclosure No. 5 in No. 15.
- 2) An India Officer, Russia's March towards India, I, 269.

request was presented to the Russian authorities as well as the frequent disputes that were occurring between Russian purveyors to the Chinese army and the Chinese themselves<sup>1</sup> provide the first warnings of the later more serious misunderstandings. One of the reasons for the insolence of the Chinese may be attributed to the suggestion they are reported to have received from the English that the Russians had no intention of surrendering the Ili valley.<sup>2</sup> Yet the Russians might have accepted the request for the evacuation of the province had there not developed during the interim of their ten-year occupation additional motives for at least its temporary retention. Terent'ev submits a series of reasons for this change of attitude such as those already cited of the overbearing manner of the Chinese and the conniving of the British with the Chinese. In addition, he writes that the Russians still doubted that the Chinese had sufficient troops to control the Kuldja area and that the expenses for a decade-long occupation now had mounted to a very large sum.<sup>3</sup>

To these items another consideration should be added. The conversations, already alluded to, between the Russian minister at Peking and the Tsung-li Yamên were urgently directed towards relieving the Russian trade with China of some

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- 1) Boulger, D. C., The Life of Yakoob Beg, 264.
  - 2) Terent'ev, M. A., Istoriia Zavoevania Srednei Azii c Kartami i Planami, III, 253.
  - 3) Ibid., 253-54.

of its restraints. All circumstantial evidence pointed to the Russian intention of employing Kuldja as a means of bargaining with the Chinese whereby the restrictions on Russian commerce might be moderated. Yet another consideration presents itself. It was the current belief, especially among the officialdom stationed in Central Asia, that a boundary rectification would be highly desirable with the improved frontier running along the summits of the T'ien-shan range.<sup>1</sup> Sites for future fortifications had already been plotted along the line of this proposed boundary revision.<sup>2</sup> The opening pages of this study revealed the significance of the control of the T'ien-shan by the erection of forts in its high mountain passes. This question will be treated more fully later, for it loomed large in the eyes of the Chinese after they perceived the true import of the provisions of the calamitous Treaty of Livadia concluded between the two countries in 1879. In the light of these numerous reflections the Russian Government insisted that the question of the return of Kuldja be settled at St. Petersburg.

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1) Schuyler, Eugene, Turkestan, II, 325-26.  
2) Terent'ev, M. A., Op. cit., 254.

## CHAPTER III

## THE TREATY OF LIVADIA

To negotiate formally for the return of Kuldja to Chinese control, the former ambassador to France, Ch'ung-hou by name, was appointed in the month of June, 1878, to go to St. Petersburg.<sup>1</sup> Ch'ung-hou was at the time Governor-General of Feng-t'ien, one of the three provinces of Manchuria, and an official of considerable eminence in his own country. He was a member of the Council on Foreign Affairs, and had been decorated with the Plume of the Two-Eyed Peacock. It was generally believed that the mandarin was well versed in European diplomatic procedure, for, some years before, he had conveyed to the Western Powers China's apology for the Tientsin massacre. But Ch'ung-hou like most Chinese officials loved his own hearth, knew little of the Occident and cared less. However, he had been deputed to this foreign mission in a land unknown to him to treat on a subject with which he had only the most superficial acquaintance.<sup>2</sup>

The reception of St. Petersburg to the communication of the appointment of Ch'ung-hou was not without reservations. For the Chinese Court had evidently intended that Ch'ung-hou

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1) Cordier, Henri, Histoire des Relations de la Chine, II, 183.  
 2) Sergeant, Philip W., The Great Empress Dowager of China, 69.  
 Vide also Appendix B, Memorial Submitted to the Imperial Throne by Kuo Sung-t'ao on May 14, 1880, pp. 7-9.

not only negotiate a treaty but that he should also be permanently installed at the Russian capital. The Foreign Office, while eager to emphasize the amicable relations which bound the two nations together, displayed no inclination to grant this honor. In the very midst of the most engaging sentiments, it did not fail to make clear to the Chinese Government that its permissive right to maintain a legation at St. Petersburg would terminate with the conclusion of the new treaty between the two nations.

The Tsung-li Yamên without doubt was given some cause for reflection by this reply of the Russian Government. What would be the most convenient attitude to assume toward a note that, while amicable in tone yet would not concede the installation of a permanent legation at the Russian capital? Ch'ung-hou declared it his belief that it would be advisable to consider this response as an unqualified acceptance. He added that it would be expedient to confer upon him the title of Plenipotentiary. This title would give a special character to his mission and would be in harmony with common precedents for embassies to foreign lands.

Ch'ung-hou received the most explicit of instructions as to the conduct of his negotiations at St. Petersburg. In

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- 1) Cordier, Henri, *Op. cit.*, 184, note of M. Brenier de Montmorand to M. Waddington, Peking, Aug. 28/Sept. 9, 1878. There was no stipulation in the Russo-Chinese treaties for a permanent Chinese representative at St. Petersburg.
  - 2) Idem.

the words of the Tsung-li Yamên Memorandum submitted to the European ministers at Peking, Ch'ung-hou, by the terms of his letter of credentials, "was in the interest of our common relations to make a treaty, to negotiate the retrocession of Ili, and, at the same time, the rendition of the rebel Po Yen-hou."<sup>1</sup> During his audiences before the Empresses and Emperor, the Chinese Envoy was adjured to use the greatest prudence and commit himself to nothing without first consulting the Palace and informing the Tsung-li Yamên. Prince Kung, who was close to the Throne and of whom we shall hear more later, and the Tsung-li Yamên as well cautioned Ch'ung-hou that he had been entrusted with affairs of the greatest gravity. Thus Ch'ung-hou was circumscribed about with restrictions: he was to be only an intermediary between Peking and St. Petersburg. The Imperial Court no doubt experienced great trepidation in dispatching a mission to a far-off foreign land. Such is the whole tenor of the instructions to the Chinese Envoy as inscribed in the Memorandum<sup>2</sup> from which the above admonitions are taken.

Ch'ung-hou arrived in Russia on December 19/31, 1878 and<sup>3</sup> was received on January 8/20, 1879 to deliver his credentials.

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- 1) Ibid., 185, Memorandum of the Tsung-li Yamên. Po Yen-hou, the rebel referred to in the quotation, had taken asylum in Russian territory. The Memorandum here cited was drawn up by the Tsung-li Yamên for presentation to the French and English Ministries at Peking. It was a detailed justification of the Chinese position following the condemnation of Ch'ung-hou for failing to negotiate a satisfactory treaty.
  - 2) Memorandum supra.
  - 3) Central Asia, No. 1 (1880) (c. 2470), No. 16, Lord A. Loftus to the Marquis of Salisbury, Jan. 28, 1879.

The delay in the submission of the Envoy's credentials arose from his assertion that he possessed the rank of Ambassador while his papers merely conferred upon him the character of an Envoy Extraordinary and Minister Plenipotentiary.<sup>1</sup> To have accorded Ch'ung-hou the Ambassadorial grade would have signified that the Russian Government consented to the installation of a permanent Embassy. It appears that Ch'ung-hou either was not conversant with the distinction in status between the two ranks or that he wished on his own initiative to exalt his position. The former supposition is not untenable in the light of the Envoy's provincial ignorance of diplomatic formalities. The Russian Government telegraphed Peking to ascertain his diplomatic character. The answer received was so uncertain in its wording that it could not be understood whether Ch'ung-hou represented the person of the Emperor of China or the Chinese Government.<sup>2</sup> Hence, it was determined to give him the reception commonly accorded Orientals. He was conveyed to the Palace in an Imperial carriage attended by the Court officials. Here he was received in audience by the Tsar Alexander II.<sup>3</sup>

Discussions between the Chinese representative and the Russian Minister of Foreign Affairs, beginning in

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1) Idem.

2) Idem.

3) Journal de St. Petersbourg, Jan. 10/22, 1879 in Central Asia, No. 1 (1880) (c. 2470), Inclosure in No. 16.



March, advanced leisurely. Prince Gorchakov, Minister of Foreign Affairs, declared that he had to see the Ministers of War and of Finance before he could discuss the Kuldja question with any definiteness. Somewhat later, Ch'ung-hou submitted a précis to the Tsung-li Yamên of the conversations between Prince Gorchakov and M. Butzov, Assistant Minister of Foreign Affairs pro tempore regarding the subject of discussions. These embraced three items: 1) commerce, 2) frontiers, and 3) indemnity.<sup>1</sup> Russia, at this time, gave her full consent to the return of Kuldja to China.

Shortly afterward, Ch'ung-hou informed the Yamên that with reference to the indemnification of Russia for her expenses of occupation the negotiators had agreed upon a sum of five million rubles.<sup>2</sup>

However, it was in the conversations over boundaries and above all over commercial privileges that the Russian Ministers revealed their prevailing interests. They desired that land trade be permitted to pass from the Russian border through Hsin-chiang to Hankow far south in the Eighteen Provinces.<sup>3</sup> The passage of Russian caravan trade as far as Hankow would threaten the opening up of much of the interior of China to Russian commercial activity.

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1) Cordier, Henri, Op. cit., 185, Memorandum of the Tsung-li Yamên.

2) Idem.

3) Idem. The Tsung-li Yamên Memorandum, supra, is not detailed in its references to the commercial routes solicited from Ch'ung-hou. Only the final draft of the Treaty of Livadia contains a precise itemization.

As to frontier rectifications, Gorchakov and Butzov determined upon a line running irregularly from near the town of Tarbagatai past the city of Kuldja to Kashgar.<sup>1</sup> With reference to Kuldja, this disposal would provide Russia with an enclave forming the southern portion of the area then in occupation by the Russian troops. This enclave would bring within Russian possession the western T'ien-shan and would thus establish her control over the passes of this mountain range, as has been already pointed out in the analysis of the geographical disposition of Chinese Turkestan.

The ostensible reasons advanced by the Russian negotiators for the retention of this area were that it would be a sanctuary for those who had rebelled against China and who no longer would deem it safe to remain under her dominion.<sup>2</sup> Furthermore, the corrected frontier would enable the Russian frontier corps to curb the turbulent nomadic tribes and mitigate to some extent their inter-tribal warfare and the pillaging of the caravans, as well as aid in the prevention of the eruption of another kingdom similar to Yakub Beg's.

The Chinese government could not regard with good grace the clipping off of any of its hereditary domains,

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1) Idem.

2) In this regard cf. Martens, F. F., Op. cit., 617.

especially as it had not been defeated in war nor had it fallen into any of those fatal errors that had provoked its former humiliations before the Western nations. Hence, June 24/July 6, July 11/23, and again August 6/18, and August 15/27, the Tsung-li Yamên telegraphed to Ch'ung-hou.<sup>1</sup> In these dispatches it emphasized that the Imperial negotiator was obliged to adhere to his instructions that no boundary alterations would be countenanced. The Russian proposal suggested the reduction of the Ili area by seven tenths and would "render illusory the retrocession of that province".<sup>2</sup> The Yamen reminded Ch'ung-hou of the Protocol of 1864 and declared that "a boundary line which had been determined in 1864 could not thus be arbitrarily modified".<sup>3</sup>

During this same period, Ch'ung-hou was repeatedly admonished not to lose sight of the problem of the rendition of the rebel Po Yen-hou. The attitude of the Russian Government concerning this matter could well have been forecast before the opening of the negotiations. It was accounted the unalterable obligation of a sovereign state not to surrender political refugees from another state however friendly the latter might be. Such were the laws of hospitality which certainly were well known

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1) Cordier, Henri, Op. cit., 186.

2) Idem.

3) Idem. For the Protocol of Chuguchak, vide Treaties, Conventions, etc., I, 144-51.

aforetime to the Chinese in their dealings with the Mohammedan peoples as well as with Christian nations. The British Ambassador to Saint Petersburg, Lord A. Loftus, had referred to this custom among European nations in his conversations with Ch'ung-hou.<sup>1</sup> The Chinese Plenipotentiary cautiously replied that this was a question of secondary importance, and that he entertained the hope that China as a limitrophe state should maintain good relations with Russia. Consequently, in spite of the insistence on the part of the Yamén, Ch'ung-hou appeared to be very diffident in making any allusions to the rendition of Po Yen-hou. Timorous by nature, the Envoy was a pliant tool in the hands of the Russian negotiators. When the year had advanced to September and the terms of the new treaty had been drawn up, Ch'ung-hou telegraphed the intelligence to his superiors that it now would be difficult to reopen the conversations: nothing could be done about the Chinese rebel.<sup>2</sup>

While the treaty negotiations were in progress, the Russian participants and Ch'ung-hou with his entourage retired to the Imperial summer residence of Livadia on the shores of the Black Sea. It was from here that Ch'ung-hou, September 20/ October 2, dispatched a telegram to the

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- 1) Central Asia, no. 1 (1880) (c. 2470), enclosure no. 16, Lord A. Loftus to the Marquis of Salisbury, January 28, 1879.
  - 2) Cordier, Henri, Op. cit., 186, Memorandum of the Tsung-li Yamén.

Yamen to inform the members that he had attached two separate articles to the treaty.<sup>1</sup> The first of these clauses conceded to the Russians the preservation of their property rights in Kuldja after the return of that province to China;<sup>2</sup> the second conferred upon the Russians the rights<sup>3</sup> of navigation of the Sungari River as far as Petuna.

Finally, at Livadia on September 29 October 11, Ch'ung-hou telegraphed that on September 20 October 2 he had attached his signature to the treaty. Without waiting for his authorization from Peking to leave Russia, Ch'ung-hou hastened to return to his homeland.<sup>4</sup> The negotiator's superstitious dread of a sorcerer's prediction of his death, should he delay in Russia beyond a certain date, frightened the official into taking a speedy homeward passage. He arrived in Peking December 22/ January 3, 1880; the preceding day a decree had been issued stripping him of his position and reporting his case for review<sup>5</sup> before the Minister of Personnel.

An examination of the treaty's provisions plainly reveals the weak compliance of the Chinese Government's negotiator. That Ch'ung-hou disregarded the specific

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- 1) Idem.
  - 2) Appendix D, Treaty of Livadia, Art. IV.
  - 3) Ibid., Special Protocol on the Treaty of Aigun, 1858. Petuna, a town in the province of Kirin, Manchuria, is at the head of the main highways leading to Peip'ing. The fact that the town was in Manchuria, the homeland of the ruling dynasty, greatly influenced the succeeding discussions.
  - 4) Cordier, Henri, Op. cit., 191.
  - 5) Idem.

instructions with which he had been charged and that he ignored the repeated warnings of the Tsung-li Yamên during the negotiations cannot be controverted.

Article VII<sup>1</sup> of the Treaty of Livadia provided for the cession of a large enclave of the Ili valley and the tributary Tekes River valley. The Tekes valley led directly to the Muzart Pass. Consequently then, Russia was to remain in possession of the famous gateway which she had occupied almost a decade earlier. As it has been repeatedly emphasized, this pass and the adjacent mountain area of the T'ien-shan chain dominate all the land about.

Moreover by Articles VII and VIII respectively, the province of Ferghana was to be enlarged by a slice of territory taken from Kashgaria, and the boundary east of Lake Zaisan,<sup>2</sup> determined by the Protocol of Chuguchak in 1864, was to be shifted eastward a considerable distance<sup>3</sup> to obtain thereby a more natural frontier.

The Treaty of Livadia greatly widened the gap made in the painfully restricted commercial intercourse of the two countries. In 1851 by the treaty of Kuldja, the Chinese Turkestan emporiums of Kuldja and Tarbagatai were

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- 1) For the subsequent references to the articles of the Treaty of Livadia vide Appendix D, Treaty of Livadia.
  - 2) Lake Zaisan is north of Tarbagatai, i.e., in Siberia, lat. 47.50 N., long. 83.45 E.
  - 3) As the Russo-Chinese boundary passed through areas only indifferently surveyed, if surveyed at all, alterations more than once arose over the proper demarcation line. Cf. Martens, F. F., "Le Conflit Entre la Russie et la Chine", 583.

opened to Russian merchants with a Russian consul to be stationed at both towns.<sup>1</sup> The Treaty of Peking in 1860 placed Kashgar and Urga in the same category as Kuldja and Tarbagatai.<sup>2</sup> China had opened her markets cautiously and too tardily for the eagerness of the Russian merchants. Now the treaty must concluded provided by Article X that the number of consulates be increased to ten. In addition to the four points mentioned above, consulates were to be established at Chia-yü-kuan, Kobdo, Uliassutai, Hami, Turfan, Urumchi, and Ku-cheng, with the proviso that the last four towns were to have two consulates each. As stipulated by Article XII:

Russian subjects are authorized to carry on trade free of duty in Chinese Mongolia, in those localities and Aimaks where there are Chinese cities, as well as in those where there are no cities.

Russian subjects may likewise carry on trade free of duty in Ili, Tarbagatai, Hami, Turfan, and other cities situated on the northern slopes of the T'ien-shan as far as the mountains.

And Article 3 of the Regulations for the Trade between Russia and China stipulates that "Russian merchandise forwarded to Kashgar and Kashgar must be sent by the route of Hsi-an-fu or Han-chung, and in the consequence to be forwarded to the ports of China."

- 1) Treaties, Article 10 of the Treaty of Peking, 1860.
- 2) Ibid., Article 11 of the Treaty of Peking, 1860.
- 3) This provision is also contained in the Treaty of Peking, Article 12.

As it has already been explained, it was this very concession of Ch'ung-hou's that called forth the protest from the Tsung-li Yamên.

Article 1 of the Regulations for the Land Trade which reads "A trade of free exchange and free of duty between Russian and Chinese subjects is authorized within a zone for 100 li<sup>1</sup> on either side of the frontier" was an iteration of Article I of the Revised Convention of Peking concluded in 1869.<sup>2</sup> These articles in fact applied to the Manchurian frontier, that is, to the territory on either side of the river Amur,<sup>3</sup> since, as it has been observed, all the northwest lands as far as the Great Wall were freed of any tariff charges against Russian merchants.

The caravan route via Chia-yü-kuan, on the Great Wall in western Kan-su province, to Tientsin was opened by Article XIV which reads:

Russian merchants in transport of their goods by land to the interior of China, may go by way of Kalgan and Chia-yü-kuan to Tientsin. They may either sell their goods in Kalgan, Chia-yü-kuan, Tung-chou, Hsi-an and Han-chung-fu or transport their goods into the interior for sale.

Russian merchants may likewise purchase goods in the aforementioned places. They shall use the same route by way of Kalgan and Chia-yü-kuan to transport their goods back to Russia.

Since Chia-yü-kuan was not outside the Great Wall where

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- 1) 100 li equals about 33 miles. The reading according to the Russian version is 50 versts. A verst is .6629 miles.
  - 2) Treaties, Conventions etc., I, Revised Convention for the Land Trade between Russia and China, 1869, Art. I.
  - 3) Soulie de Morand, George, Exterritorialité et Intérêts étrangers en Chine, 414.



free trade prevailed, merchandise sold at this point was to pay the full duty as provided by Article 4 of the Regulations for the Land Trade.

The use of the old caravan routes from Nerchinsk and Kiakhta to Tientsin received renewed confirmation in Article 3 of the Regulations for the Land Trade. This article then restated the stipulations of Article III of the revised Convention of Peking, 1869,<sup>1</sup> that the merchants traversing this route must proceed from Kiakhta through Kalgan, Tungpa, and Tung-chou to Tientsin. The charge of the full duty (five per cent) designated by Article 4 did not vary from those levied by the Convention of 1869.<sup>2</sup> The same stipulation applied to the two-thirds duty for goods transported to Tientsin as stated in Article V of the 1869 Convention<sup>3</sup> and in Article 5 of the Treaty of Livadia.

The right of navigation of the Sungari River<sup>4</sup> had been acquired by Russia in 1858 by the Treaty of Aigun.<sup>5</sup> Because of the varied interpretations of the treaty, this right had never been sanctioned by China. But Ch'ung-hou

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1) Ibid., Art. III.

2) Ibid., Art. IV.

3) Ibid., Art. V.

4) The Sungari River, a tributary of the Amur, flows through much of Manchuria.

5) Treaties, Conventions etc., I, Treaty of Aigun, 1858, Art. II.

yielded to the insistence of the Russian negotiators, in spite of his orders to the contrary, and permitted the addition of a Protocol to the treaty of Livadia granting, until definite settlement had been attained, the navigation of the Sungari River as far as Petuna:

The statement concerning both navigation and trade as stated in the Treaty of Aigun remains unchanged. Before a formal agreement on the regulations concerning the carrying out of this navigation and trade between the two states, Russian subjects are entitled to navigate the Sungari River as far as Petuna.

## CHAPTER IV

## THE REJECTION OF THE TREATY OF LIVADIA

The furor aroused in China over the disobedience of Ch'ung-hou and the humiliating treaty which he had negotiated first concentrated about the unfortunate envoy and then quickly included Russia as well. Attention given to the conduct of the mandarins and literati of China during the period of intransigence with Russia is enlightening; for it serves to illuminate the mingled fear and haughty disdain with which the higher officials of that Empire regarded not only Russia but all Western nations. It is true however, that a few of the mandarins understood painfully well the high jeopardy in which they would place their country by any rashly uncalculated act. But they were not numerous. Among these was Kuo Sung-t'ao who had been sent to London after the Chefoo Convention with a letter of apology and regret for the murder of Raymond Margary.<sup>1</sup> Unfortunately, the Memorial<sup>2</sup> which this mandarin inscribed for the court was not delivered until May of 1880. Otherwise its placatory style and its plea for the commutation of the sentence soon to be passed against Ch'ung-hou might well have ameliorated much of the dissension of the succeeding months.

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- 1) Boulger, D. C., History of China, 474.  
At this time Kuo Sung-t'ao was Vice-President of the Ministry of War and in 1878-1879 had been Minister to England and France.
  - 2) Appendix B, Memorial submitted to the Imperial Throne by Kuo Sung-t'ao on May 14, 1880.

For the policy of the Chinese government during this crisis that was being engendered in Sino-Russian relations there are open to examination only the Imperial decrees, the memorials to the Throne, and the Tsung-li Yamen's memoranda. From these documents and from secondary works must be pieced together a picture which in all respects is not coherent. The age-old Chinese monarchy with the Co-Empress Tzū Hsi and Tzū An on the Throne had the direction of its policy determined by palace intrigue and by the hierarchy of provincial mandarins as often as by other considerations.<sup>1</sup> The Tsung-li Yamen ostensibly handled foreign relations. In fact, however, its chief function was to act as a buffer between the Court and the foreign representatives at the capital.<sup>2</sup> Of most importance at this time was the recrudescence of the two groups, one hostile to everything foreign and the other desirous of pursuing a conciliatory course of action.<sup>3</sup> Prince Chun headed the anti-foreign party, and as his son was the young Emperor, Kuang-hstū, for whom the two Empresses were acting as co-regents, his word carried great influence. Behind the Prince were aligned the Manchus united in their enmity

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- 1) Bland, J. O. P., Li Hung Chang, 7.  
The author, Mr. Bland, dilates on the practical restrictions curtailing the power of the Throne. The emperor held an ornamental position of exaltation behind the walls of the Forbidden City. Actually, more power was wielded by any one of the great mandarin officialdom. Since the Empress Tzū Hsi often took affairs into her own hands, this statement in all respects is hardly true.
- 2) Ibid., 9.
- 3) Sergeant, Philip W., The Great Empress Dowager, 113.

for all that was European and now concentrated in their  
 wrath against Russia.<sup>1</sup>

The Viceroy Li Hung-chang and Prince Kung stood almost alone in their realistic outlook on foreign affairs. Prince Kung, the President of the Tsung-li Yamen at this time,<sup>2</sup> was well experienced in European diplomacy and had close connections with the Throne. Li Hung-chang rather than the Tsung-li Yamen held in his hands the superintendence of foreign relations. Yet these two men, powerful as they were, could not forestall the heedless impetuosity of Prince Chun and his followers in their determination that China's humiliation could be erased only by the infliction of a harsh punishment on Ch'ung-hou and by the summary rejection of the treaty.

The Memorial<sup>3</sup> submitted to the Imperial Throne in January, 1880 by Chang Chih-tung is so noteworthy and was of such importance in directing the course of events that it requires some comment. Its author, Chang Chih-tung, was already known for his antipathy toward the European nations.<sup>4</sup> The Memorial bears throughout a tone of forthright directness. Its composer writes:

1) Idem.

2) Sergeant, Philip W., Op. cit., 110.

3) Appendix A, Memorial Submitted by Chang Chih-tung, January 17, 1880. The first part of this Memorial may also be found in Cordier, Henri, Op. cit., 198-201.

4) Cordier, Henri, Op. cit., 197.

From the princes and ministers, the high officials of the Central Government, to the lesser officials, everybody realized the insufferable character of this treaty. Nevertheless, nobody dares to suggest the revision of the treaty, for fear that such counsel will only stir up more trouble. In my opinion, there is no need for timidity in the matter. If we insist on the revision of the treaty, it is true some difficulties will arise. But if the treaty remains unchanged, China will no longer be a nation. <sup>1</sup>

To whatever extent Chang Chih-tung's arguments were sound, their merit was greatly diminished by his recommendations for Ch'ung-hou. He wrote: "Ch'ung-hou in attaching his signature to this treaty was guilty not only of gross misconduct, but also of signal stupidity". <sup>2</sup> A little later he added: "Public opinion demands that Ch'ung-hou for such conduct, so dishonorable to the nation, so flattering to the enemy, be condemned to capital punishment." <sup>3</sup> Unfortunately, the Court heeded the memorialist's advice too well.

The revisions which Chang Chih-tung suggested for the treaty of Livadia so impressed the Court <sup>4</sup> that they were in large measure adhered to in the Tsung-li Yamen's instructions to Marquis Ts'êng Chi-tsé while the latter was negotiating a new treaty at St. Petersburg during the autumn of 1880. Though the reasons advanced by the memorialist

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1) Appendix A, Supra, 6-7.

2) Ibid., 6.

3) Ibid., 7.

4) The Empress Dowager Tzū Hsi ordered that Chang Chih-tung be consulted upon all important questions of state. Vide Bland, J. O. P. and Backhouse, B., China under the Empress Dowager, 504.

for his arguments are often not only pointless but are almost hysterical in their emphatic statement, nevertheless his conclusions possess some validity.

The establishment of an enclave in western Hain-chiang<sup>1</sup> pained him deeply. Only the name of Ili would be restored to China. The control of the passes of the T'ien-shan by Russia would involve not only the loss of all power of military defense of the region but would furthermore cleave Hain-chiang into two unrelated fragments.

If Russian navigation of the Sungari River were tolerated as far as Petuna, then the whole of Manchuria might as well be flung open to the unhindered activities of the Russian merchants. Moreover, Manchuria was the homeland of the Heavenly Dynasty. Even a worse result would come to pass. The European nations, who had long sought permission to navigate the inland waterways, would now seize the opportunity to require the same privilege for all the rivers of China.<sup>2</sup>

The right conferred by the Treaty of Livadia of directing overland travel to Hankow in the heart of the Eighteen Provinces was clearly inadmissible.<sup>3</sup> No doubt Chang Chih-tung was thinking of China's previous unhappy

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1) Ibid., 5.  
 2) Ibid., 1-2.  
 3) Ibid., 1.

encounters with the European nations, as was his wont, when he wrote that the admission of direct transit merchandise across China would tend to open the entire land to foreign influence. In pursuance of a similar train of thought, the memorialist warned that the increase in number of Russian consulates in Hsin-chiang and Mongolia "would mean that the whole of the Western region would be open to Russian control." He continued: "Wherever there are foreign soldiers there are foreign merchants, and wherever there are foreign merchants there are foreign soldiers. At first they infringe on our sovereignty; afterwards, the positions of guest and host are exchanged."<sup>1</sup>

Article XII of the Treaty of Livadia favored Russian merchants with a tariff-free importation of goods into Hsin-chiang and Mongolia. According to Chang Chih-tung, this accommodation would entail a heavy burden upon the Chinese and native traders.<sup>2</sup>

However, the memorialist made a blunder when he advised that the "unexpectedly mean conduct of Russia in this transaction" should be noised about in order to attract the sympathetic attention of other nations.<sup>3</sup> When Marquis Ts'êng Chi-tsê was attempting later in 1880 at

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1) Ibid., 4-5.  
 2) Ibid., 2.  
 3) Ibid., 8-9.



St. Petersburg to make some progress in his negotiations with the Ministers Jomini and Butzov, he encountered their repeated exclamations of displeasure with the Chinese procedure of bruiting about that China had been unfairly dealt with by Russia.<sup>1</sup>

Ili was the central point at issue, wrote Chang Chih-tung. As the present treaty bore the stigma of the loss of the strategically necessary territory about Ili and in the T'ien-shan, it must be rejected. But if China insisted on the return of Ili without offering any concessions to the Russian demands, then the fault would be her own. It would be better rather to leave Russia in temporary occupancy of Ili. If Russia should continue to reproach China, the former would be in the wrong.<sup>2</sup>

Chang Chih-tung then contemplated the possibility of war with Russia. Without deliberately advocating a conflict he so shaded his language as to convey the impression that hostilities were not unthinkable, and in the event of their realization, China should make immediate defensive preparations along her frontiers. Russia, troubled with internal dissension, militarily weakened and financially impoverished by her recent struggle with Turkey, could not cope with the excellent

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1) A Personal Diary, 22.

2) Ibid.; 9.

generalship of Tso Tsung-t'and, supported by his experienced soldiery. "A war for Russia would be suicidal."<sup>1</sup>

Nearing his conclusion, the Memorialist reveals that rancor of injured pride that was eating into the heart of the mandarin officialdom. China had been too pliant in the past in submitting to the behests of the Europeans.

The Western nations strive to impair our sovereignty, and the Eastern nations attempt to encroach upon our boundaries. Now Russia is exerting herself to create a discord with our country. If we yield again, all the nations will follow her example and trespass yet further upon our authority. The day will come when we shall have been oppressed to such a state that we can yield no more.<sup>2</sup>

Consequently, affirmed Chang Chih-tung:

If we do not defend our nation on its farther confines, the day will come when we will be forced to fight inside our own hall. Remorse will then be too late. In short, military preparations are essential, whether the treaty is or is not revised.<sup>3</sup>

While the Memorial is contentious in tone, it should be noted that nowhere is there to be found an outright advocacy of war, although there is no doubt that its author desired it. Chang Chih-tung envisaged in his Memorial the necessity of military preparations for defense if Russia should follow the common procedure of European nations and force the treaty upon China. As will be brought out later, Russia herself was anxious to avoid any collision.

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1) Ibid., 8-9.  
 2) Ibid., 13.  
 3) Ibid., 14.

However, in following the advice of Chang Chih-tung and the Manchu mandarins to set in motion measures for defense, the Chinese Government necessarily forced Russia to take similar steps for her own protection. General Tso-Tsung-t'ang's proud boast that he and his beloved Hunanese troops could dictate their own terms to Russia and wipe out the humiliating Treaty of Livadia did nothing to ease the situation.<sup>1</sup>

The Treaty of Livadia was submitted to the scrutiny of an imposing body made up of the grand functionaries and princes of the Empire.<sup>2</sup> Its provisions were so odious in their sight that they unanimously rejected the document in its entirety. Most offensive were the commercial concessions that opened China to what appeared to be the untrammelled activity of the Russian merchants.

Furthermore, the Government's self-respect had been most grievously mishandled by the Russian refusal to give up the rebel Po Yen-hou. A diplomat, whose name is unknown, wrote with some derision at the time:

The Chinese Government would appear much less galled by the definite abandonment of a portion of Ili than by the refusal of the Russian Government to give up to them the former Dungan leader, Po Yen-hou, at present a refugee upon its territory.<sup>3</sup>

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- 1) Bland, J. O. P. and Backhouse, B., Op. cit., 509.
  - 2) Bland, J. O. P., Op. cit., 11-12. The author presents a list of the chief governing bodies of China.
  - 3) Cordier, Henri, Op. cit., 192.

The Imperial Court could not forgive its negotiator's inability to force the Russian Government to surrender the insurrectionist to its tribunal.

Ch'ung-hou, as has already been told, had been deprived of his offices by the Minister of Personnel. This was followed by yet another decree ordering the Minister of Justice to determine the nature of his crime. This move undoubtedly showed the temper of the Government. A severe punishment for the negotiator's contumacious conduct was certain to follow.

The foreign legations at Peking were immediately alarmed at the untoward results which would issue from this course of action against an official who had been an accredited minister to Russia. In January and February, the heads of the various legations met frequently for an exchange of opinions on the procedure to follow. Upon the suggestion of Sir Thomas Wade, the British Minister at Peking, they determined on intermediation in favor of Ch'ung-hou with the provision, however, that before any collective action was undertaken each should consult with the other.<sup>1</sup> At this meeting, the French and German participants, M. Patenôtre and Herr von Brandt respectively, both expressed some trepidation over any interference in

1) Ibid., 193-94; note of M. Patenotre, French Charge d'Affaires at Peking to M. Waddington, French Minister of Foreign Affairs, January 29/February 8, 1880.

the affairs of China as imperilling the very end that they desired. The British and American Ministers overrode the objections of their French and German colleagues. Sir Thomas Wade, in particular, stressed the outraged public sentiment of England and maintained that he, in any case, had resolved upon intervention in the affair. Mr. Seward, the American Minister, concurred with these sentiments. The Russian Minister Butzov abstained from entering into the discussion in order that the suspicion be not aroused that he had a hand in the matter.

The British Minister in his note of January 25 / February 6<sup>1</sup> to the 'tsung-li Yamên maintained that he in no way desired to contest the Chinese right of regulating its internal affairs as it chose, but that he felt it his obligation to put it on its guard against any action which would injure China's prestige abroad. Alluding to a similar case in 1858 when a Chinese negotiator was harshly treated by the Chinese Government, he called the attention of the Yamên to the severe reception which the European cabinets would give the news of the capital punishment of Ch'ung-hou.

Mr. Seward, the American Minister,<sup>2</sup> was not as restrained as Sir Thomas Wade. His note denounced the proceedings against the envoy as having been inspired

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1) Ibid., 194.  
2) Idem.

by the anti-foreign party. The condemnation of Ch'ung-hou could have only the most regrettable consequences for the international relations of the Chinese Empire.

The German Minister, Herr von Brandt, contented himself with pointing out to the Tsung-li Yamên the false rumors that were being circulated about as auguring ill for the maintenance of the policy pursued by China in recent years.<sup>1</sup> He for his own part expressed the hope that the Throne would seek a prompt conclusion for the difficulties of the present situation.

M. Patenôtre of France assumed a tone of grievance in his note<sup>2</sup> to the Tsung-li Yamên of January 25/ February 6.

We have been permitted to hope (he wrote) that some of the high functionaries, which the Imperial Court had judged worthy of enough confidence to represent their country abroad, could some day be called upon to take part in the councils of the Empire, and after having aided in making China better known to the European Governments, they later could aid in giving to the Chinese Government a more complete conception of Europe and could work in the common interest to dissipate regrettable misunderstandings.

Unfortunately, events have made their appearance to belie in part these hopes. Various individuals which the Peking Court has up to the present accredited to foreign nations appear obliged, on their return, to remain for one reason or another outside of public affairs and thus to lose any occasion to put to the service of the Throne the experience acquired on their sojourns abroad.

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1) Idem.  
2) Ibid., 195-96.

The French Chargé d'Affaires concluded with the warning that the decrees depriving Ch'ung-hou of his offices and handing him over to the Minister of Justice

would have the effect of rendering more precarious than ever the situation of the representatives of China and consequently of diminishing their authority before the foreign Governments to the great detriment of the general interests which they had been called upon to protect.

The Tsung-li Yamén responded on February 4/16 in a note of polite evasion:

Although nothing has been done about the matter that has occupied our attention recently, it is to be hoped that the awaited solution will be to the satisfaction of everyone, and in a manner that will be warranted by the time and circumstances. 1

In spite of the protestations of the European Ministers stationed at Peking, Ch'ung-hou was brought to trial and charged with the capital offense of having violated his instructions. An Imperial Decree recounting the trial was published in the Peking Gazette on February 5/17, 1880:

Ch'ung-hou, who returned to Peking without having obtained orders from us, was degraded, arrested, and tried before the Minister of Justice who was charged with the determination of his crime.

This Minister, seeing the gravity of Ch'ung-hou's case, expressed to us a desire that he be assisted by a Council of the Princes and of two High Functionaries.

The Minister of Justice and the Council, as assistant judges, each forwarded to us a report establishing that Ch'ung-hou, charged with a foreign mission, had violated the instructions which

1) Ibid., 196-97.

he had received and had exceeded his power in the affairs with which he had dealt.

As this was a very grave case, we ordered the Princes of the first and second order, the grand officers of the Royal Chamber, the Prince and Cabinet members of the Tsung-li Yamen, the Grand Chancellery, the Six Ministers, and the Board of Censors to meet in committee to determine the penalty that should be meted out to Ch'ung-hou. <sup>1</sup>

Ch'ung-hou's sentence was not long in making its appearance. An Imperial Decree, published February 20/ March 3, read as follows:

Che-to, Prince Li, and the other members report to us that after meeting in Council, they examined the case of Ch'ung-hou, Ex-President of the Board of Censors. They propose, by virtue of the laws that govern this case, that the said Ch'ung-hou be condemned to decapitation after incarceration.

We order that the sentence remain as proposed. The Minister of Justice is charged with the execution of the present decree. <sup>2</sup>

That the Chinese Court was beginning to experience some uncertainty over the condemnation of Ch'ung-hou may be gathered from a Decree <sup>3</sup> that appeared on the day preceding the announcement above quoted. An appeal was made to the provincial authorities that they seek out all those men who demonstrated by their superior abilities a capacity to advise on the conduct of public affairs. These favored individuals were to be singled out by the talents they exhibited in a comprehension of foreign affairs, languages,

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- 1) Ibid., 202-03; printed in the Peking Gazette, Feb. 17, 1880.
  - 2) Ibid., 207.
  - 3) Ibid., 206-7.



military sciences, etc., and then recommended to the Throne. In this way, the Government would have available those who were well versed in public affairs and ready to cope with emergencies as they arose.

Surely the conduct of the Chinese Government must have produced a strange reaction upon the Russian Foreign Office, accustomed even as it was to dealing with Orientals. Rather than informing the Russian Government of its rejection of the Treaty of Livadia,<sup>1</sup> the Chinese Government concentrated its ire upon the negotiator of the odious treaty, imprisoned him and condemned him to a degrading death. By this summary treatment of Ch'ung-hou the Peking Court appeared certainly to have no other purpose in mind than to rebuff the Russian Government in the rudest manner possible. The most tenable explanation for this impolitic behavior is likely the often repeated justification advanced by Chinese diplomats. China was not conversant with the formalities of European diplomatic intercourse. She had not yet time to make herself familiar with Western practices. This is the reason offered by Marquis Ts'êng Chi-tsé in his conversations with Butzov in 1881 after the difficulties following the Treaty of Livadia had been somewhat relieved, and the Marquis was

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1) Minutes of the Sino-Russian Conferences, 22.

engaged in negotiating a new treaty with Russia.<sup>1</sup> Thus the Chinese Government, instead of directly informing the Russian Government that the Treaty of Livadia was unacceptable, ignored this obvious courtesy and proceeded to the chastisement of Ch'ung-hou. Butzov in the negotiations for a revised treaty suggested to Marquis Ts'eng Chi-tse that had China secretly informed Russia that she could not accept the treaty at that time, Russia would have permitted its reconsideration.<sup>2</sup>

Dr. Martens has written that no one would have disputed the right of Peking to refuse giving approval to the treaty.<sup>3</sup> This right is recognized by European international law. But, the author adds that the position taken by the Court of Peking that Ch'ung-hou had exceeded his authority could only be regarded as very puerile. The Court's accusation had little merit since the Chinese Envoy had been accredited to conclude any treaty imaginable. Here one is confronted with the Russian understanding of the authority conferred upon Ch'ung-hou as opposed to the Peking Court's interpretation. The Imperial injunction to Ch'ung-hou had been that he was to do nothing on his own initiative. Hence Dr. Martens' assertion that full plenipotentiary powers were carried by the Chinese Ambassador was erroneous.

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1) Ibid., 46.

2) Idem.

3) Martens, F. F., "Le Conflit entre la Russie et la Chine", 615.

To Dr. Martens' way of thinking, the discord between Russia and China should be attributed to the inflictions suffered by China through the infamous treatment of the European nations like England and France. The Kuldja difficulties were broader in their significance than a mere affair between Russia and China. He writes:

It will not be difficult to seize clearly the universal significance of the present complications between Russia and China. The facts that we have revealed and the testimony of the most competent prove conclusively to us that for a long time a crisis has existed in the relations of China on the one hand and the Powers of Western Europe and the United States on the other. The present conflict would never have surged up between Russia and the Middle Kingdom if the Chinese had not been forced to hate the foreigners, to despise the European civilization and to hope with all their strength to see Chinese soil delivered of men who constantly mocked their most sacred traditions and who entrenched upon their most incontestable rights.

In other words the conflict between Russia and China is only the unfortunate consequence of the treatment to which the Middle Kingdom has been subjected and the unjust wars which they have waged against her. <sup>1</sup>

"Russia," Dr. Martens continues, "has the unhappy fortune of serving as the occasion for the explosion of the crisis whose consequences are incalculable."<sup>2</sup>

In Dr. Martens' opinion, China was determined upon war. A blow struck at Russia would be directed likewise toward all the European nations. Therein lay the forbidding significance of the whole affair. For a war

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1) Martens, F. F., Op. cit., 611.  
2) Ibid., 612.

between Russia and China would include the Western European nations in its orbit.<sup>1</sup> Clearly the author overstated his case. Military preparations were present in China, but they had been instituted only as an insurance measure. China's experiences with Europeans could warrant no other course. But when Tso Tsung-t'ang, as has already been adverted to, indulged in talk of an offensive<sup>2</sup> against Russia, he was hastily summoned to Peking. The Empress Dowager desired no increase of complications.

General Tso had never had a trial of arms with the troops of Europe. But the more enlightened of China's statesmen<sup>3</sup> recalled the Empire's abasement at Nanking, Tientsin, and Peking, and they could evaluate the havoc resulting from the T'aip'ing Rebellion which had merely submerged the Manchu dynasty. China had not yet recovered from her tremendous exertions.

Thus the Empress and her entourage of officials like Li Hung-chang, Prince Kung, and Kuo Sung-t'ao had no desire to hazard a military conflict with Russia. Nevertheless the great majority of the Manchu Mandarinate entertained no similar conceptions. Of the latter, Tso Tsung-t'ang, Chang Chih-tung, Prince Chun and numerous other of the Manchus were insistent on war as the only means of

1) Ibid., 515.

2) Bland, J. O. P., and Backhouse, B. Op. cit., 509.

3) Vide also The Times [London] Jan. 27, 1881, p. 3.  
Among these was Kuo Sung T'ao who had been to Europe.  
Vide Appendix B; Memorial Submitted by Kuo Sung T'ao on May 14, 1880, pp. 9-11.

redress for China's humiliation. This fatuous advice of the Manchus continually reiterated even down into the twentieth century when China was groaning with one calamitous defeat after another convinces the student that they displayed no aptitude whatsoever for government. Happily the Empress Dowager heeded the wise and prudent counsel of the advocates of peace.

That the Peking Court at first considered the condemnation of Ch'ung-hou as a domestic concern having no direct bearing on its relations with Russia, and that it was not contemplating the severance of relations with that country unless it was forced to take extensive measures may be seen in a Decree of the Two Empresses published in the Peking Gazette, February 5/17, 1880.<sup>1</sup> The Decree stated that the highest authorities had submitted their objections to the Treaty of Livadia and that Ts'êng Chi-tsê,<sup>2</sup> Marquis of Y-yong and Minister to France and England, had been ordered to proceed to negotiate the points of difference with the view of establishing a satisfactory accord between the two nations. While the Marquis was permitted conversations with the Russian ministers, any progress towards a settlement was at a stalemate so long as Ch'ung-hou was retained in prison and military movements were being carried on.

1) Cordier, Henri, Op. cit., 203-4, Decree of the Two Empresses printed in the Peking Gazette, Feb. 17, 1880.  
 2) Marquis Ts'êng Chi-tsê, the negotiator of the St. Petersburg Treaty came of a notable Chinese family. His father was the famous General Ts'êng Kuo-fan of the Taiping Rebellion.

The official Russian attitude toward the situation was calm enough. Writing on May 29/ June 8, 1880 to the French Minister at Peking, the French Minister of Foreign Affairs said with reference to the sentence of Ch'ung-hou and the Chinese rejection of the Treaty of Livadia:

According to the information provided by M. de Giers, the Russian Government, accounting the abrogation of the Treaty of Livadia and the chastisement inflicted upon its negotiator as wholly unjustifiable, has no intention at the present time at least of enhancing this provocation. It will content itself with the reinforcing of its garrisons in the contested territory of Kuldja and of keeping itself on the defensive at those points of the Emperor's Asiatic frontier which it would regard as endangered in case of hostilities with China. It will listen to the proposals which Marquis Ts'eng will offer and will endeavor to prolong the discussion. <sup>1</sup>

In Peking, the Russian Chargé d'Affaires, Koyander, was in a belligerent mood. He persistently expatiated upon the acquisition by China of armaments and munitions in large quantity. <sup>2</sup> It was fortunate in the interests of amity between Russia and China that his Government did not partake of his views.

Although Ts'êng Chi-tsê, while he was in St. Petersburg, negotiating a new treaty with Russia, protested that <sup>3</sup> China made no military movements directed against Russia,

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1) Cordier, Henri, Op. cit., 208-9.  
 2) Ibid., 211, 215.  
 3) A Personal Diary, 59.

still there was some military activity. According to a London Times correspondent there were fifty to sixty thousand troops stationed in various sectors of Hsin-chiang and to the eastward of that province.<sup>1</sup> In all probability their presence was required to keep the recently subdued population of those regions in subjection. Yet they were ready for employment if the occasion should require it. If Ts'êng Chi-tsê's word be accepted, there were no troop reinforcements in the Amur area. As for China's preparations for coastal defense, Ts'êng Chi-tsê stated, with positive assurance, that China began the construction of a navy for self-defense long before the irruption of the present crisis.<sup>2</sup> Nevertheless there was an ostensible justification in the Russian preparations. "Self-defense" is a word burdened with numerous ambiguities. To the Russians, Ts'êng Chi-tsê's reassurances had a deceptive ring. The fact that the Protocol of the Treaty of St. Petersburg provided for an increase of four million rubles over that of Livadia, an increase that in fact was a compensation for Russian military expenditures, indicates a tacit concession on China's part that she must bear the responsibility for having first begun military movements. In any case, whenever a nation is confronted with the

1) The Times [London], Jan. 26, 1881, p. 3.

2) A Personal Diary, 59. In this regard, Miss Lienche Tu has translated a portion of a memorial addressed by Li Hung-chang to the Throne and dated in April, 1879, many months before the Kuldja difficulties had come upon the horizon. The memorial quotes from an Imperial Edict which reads: "All the fortresses constructed and all the warships bought up to this time are but the first steps toward an adequate defense."

hazardous activities of its neighbor, it will not remain quiescent. This statement can here be as neatly applied to one of the disputants as to the other.

The ever impetuous Governor-General Kaufmann of Turkestan had troops concentrated on the borders of his province early in April.<sup>1</sup> If hostilities should break out, as the General probably hoped they would, his Cossack troops would be in the center of the theatre of operations.

Henri Cordier<sup>2</sup> furnishes a more precise itemization of the Russian Asiatic forces than need here be given. Seven or eight thousand men were stationed at Kuldja and considerably larger numbers were concentrated in various portions of Siberia. The Government of Siberia maintained that it was in no<sup>3</sup> position to cope with the Chinese in Hsin-Chiang. Cordier was of the same opinion. Such brigades as were to be found in Russian Asia were in very large part the permanent constabulary of those regions. In spite of Cordier's reputable judgement there is good reason for doubting the capacity of the poorly equipped Chinese to withstand even a few thousand well-armed Russian troops.<sup>4</sup> However, with the exception of such military men as Governor-General Kaufmann, there were few Russians who

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- 1) Glavnyi Shtab, XXVIII, 318; Terent'ev, M. A., *Istoriia Zavoevaniia Srednei Azii c Kartami i Planami*, III, 256.
  - 2) Cordier, Henri, *Op. cit.*, 211-12.
  - 3) *Ibid.*, 212.
  - 4) *The Times* [London], Jan. 27, 1881, p. 3.



desired hostility, and as it has already been reaffirmed, St. Petersburg partook of no such sentiments.

After the condemnation of Ch'ung-hou the Ministers of the European legations at Peking decided they and the interests which they protected should be on guard against any eventuality. Perhaps China would once again be involved in a war with a European nation. Consequently, it was argued that the naval forces of England, Germany, France, and the United States should be concentrated at Shanghai. Thus, if an emergency should arise, the foreign ministers would be able to come to an understanding with the commanders of the naval squadrons for action in common.

The tactics and motives of the various legations may have varied and conflicted but they all were united in one interest. Any coercive measure undertaken by Russia against China would very sensibly affect the trade and investments of the European countries in that land. A Russian naval blockade would put a stop to English commerce which now amounted to the huge sum of forty-five million pounds annually.<sup>2</sup> The immense capital investments tied up with China would be endangered, and to aggravate matters, the issuance of letters of marque to Chinese ship captains could only signify the immediate peril of pirating along

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1) Cordier, Henri, *Op. cit.*, 208.  
 2) Martens, F. F., "Le Conflit entre la Russie et la Chine", 515.

the China coast. These reflections were in all probability the fundamental cause for the agitation felt by the European legations when they were informed of the rejection of the treaty of Livadia and the sentence of the Chinese Envoy Ch'ung-hou.

The conduct of the German Minister von Brandt was a singular exception from that of the other Ministers at Peking. The turbulent German representative, playing a lone hand, tried by every method of persuasion and cajolery to incite Russia into hostilities with China. M. Bourée watched him with eagle-eyed attention. The numerous reports the French Minister dispatched to Paris bear witness to his distrust of von Brandt. A series of extracts from the French Minister's communications with his Government will best illuminate his well-grounded suspicions and the interrelations of the European political scene with Sino-Russian affairs. Writing from Peking on June 6/18, 1880, Bourée had this to say:

When I see the instances of intimacy which persist between M. de Brandt and the Russian Charge d'Affaires, when I observe the unfeigned efforts of M. de Brandt to bring about the worst possible state of affairs, and which I understand dilate upon the advantages that would be presented by a war whose immediate effects would be to bring the Russian army beneath the walls of Peking within a few days time, I cannot help but fear that the present accord between the two legations is but in harmony with an entente between their two Governments. In any case, should this supposition be well founded, would there not be serious reasons for believing that Russia had obtained the security which she requires

in order to preserve her political aspirations in the Far East in exchange for a like liberty she had guaranteed to Germany in the West? And must not the confidence placed by the Tsar's Government in the validity of such engagements be very great that it should not hesitate to involve the pick of its present military resources and its best soldiers in a vast enterprise which would remove them for an indefinite period from the Vistula and from the provinces which German ambition has so clearly menaced in other times? <sup>1</sup>

The French Minister in his allusions to the understanding between Russia and Germany merely showed the general French suspicions of the approaching Three Emperors Alliance. In his subsequent dispatches, Bourée, from his further conversations with von Brandt, enlarges upon his views. In a letter of June 17/29, Bourée writes:

Perhaps there is some question as to which is the more incomprehensible: the absurd obstinacy of China or the lack of foresight of the Russians. The latter, in the present state of affairs of Europe, in the face of complications with which the greed of so redoubtable a neighbor Germany menaces them, have just undertaken enterprises... which involve the most essential of the vital forces of their Empire: Their finances, now in a state of collapse, their good troops, decimated by the Russo-Turkish War, and almost their entire navy. My recent conversations with my colleague, the German Minister, confirmed my idea that the encouragement for this foreign policy must have been given St. Petersburg by the Berlin Cabinet.

While I was insisting to M. de Brandt that the Western Powers would never find it suggested to them that they receive any profit from a Russian conquest of any point whatsoever in Asia, my interlocutor restricted himself to the remark: 'Eh! Mon dieu! We will fish something out of the troubled waters!' <sup>2</sup>

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1) Chéradame, André, Le Monde et la Guerre russe-japonaise, 74-75.  
 2) Ibid., 75.

Overlooking Bourée's assumption that Russia had gathered together her forces in readiness for a plunge into the Far East, this letter suggests what the French Minister more clearly brought to light in the intelligence he was soon to impart to his Government. A communication of July 4/16 states:

M. de Brandt makes no mystery of the intentions of his government, as soon as war breaks out, of laying its hands upon some well chosen position from which the German navy will be useful in assisting its commercial activities or its diplomatic moves at Peking. <sup>1</sup>

By the beginning of 1881 Bourée summarized his observations for his superior at Paris. The note is dated January 12/24. <sup>2</sup> Bourée draws certain very pertinent conclusions which disclose Germany's persistent policy of attempting to ensnare Russia in Far Eastern perplexities and entanglements in order to divert that country's attention from a vindication of her position in Europe. The conclusions of this note were:

1. M. de Brandt sincerely desired a war. He, as has been my belief, did all he could to bring it about. This is my entire motive in having written concerning his attitude here.

2. M. de Brandt believed that that war would be long, costly, and troublesome for Russia. This consideration did not impede the pursuit of a policy which appeared to him to be advantageous. He regarded China in the same way; for he counted upon

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1) Ibid., 75-76.

2) Ibid., 76-79.

the chances of calculating the decisions of a government unnerved by the difficulties which would confront it. Hence, contrary to its policy, it would prove itself disposed to grant large concessions to foreign neutrals so that they would not be alienated.

But was this M. de Brandt's only consideration? If he is to be believed, there were others as well.

While he was pursuing this theme, my colleague would declare, and was obliged to maintain to the Russian Charge d'Affaires even more strongly than to us, that this war would be a mere diversion for the Tsar's troops.

Therefore Bourée necessarily deduces that the von Brandt pursued a two-faced policy. He incited Koyander, the Russian Chargé d'Affaires, to agitate even more strenuously before his Government for a war against China. At the same time he was fully cognizant of the fact that Russia was not adequately prepared for any such war and that it would embarrass that country with very burdensome complications.

The former [Koyander], animated with national ambition, was excited by the imprudent and thoughtless desire of obtaining a glorious victory for his country. The latter (von Brandt), on the contrary, quite logically sought to entangle the St. Petersburg Cabinet in an uncertain venture whose gravity he had studied well. It would have absorbed the vital energies of Russia for a long time and would have relieved Europe and the Vistula of the men and generals whose presence might obstruct Germany when she had need of elbow room.

In the early summer of 1880, England ventured the somewhat faint-hearted suggestion to the German Government of a collective mediation on the part of herself, France,

and Germany to forestall a possible conflict between Russia and China. . . A note of the French Ambassador at Berlin addressed to the French Minister of Foreign Affairs on October 30/ November 11, 1880, explains the German policy in regard to the Russo-Chinese difference and its ostensible reasons for this attitude. Referring to an interview which he had had in June with the Chancellor Bismarck and Prince Hohenloe, the French Ambassador writes:

Not only have they formally declined the timid English suggestion of offering to the two parties the good offices of Europe, but they expressed the opinion that any effort of unwarrantable interference of Europe and above all of the German Empire in this dispute would have the effect of offending the pride of Russia, of arousing her distrust, and of provoking her into an even more violent course of resolutions. 1

Now while the French Ambassador to Berlin displayed the public expression of the views of the German Government, Bourée at Peking acquaints one with much the more valid explanation, for Berlin's stand on non-interference in Russian problems:

...the alleged fear of meddling in the affairs of Russia in a way that might appear indiscreet explains itself if those in Berlin did not agree with M. de Brandt's estimation of the probable course of events. But there are serious reasons for believing that the German Government did not estimate the state of affairs in China except in the way its agent perceived them, and

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1) Cordier, Henri, Op. cit., 220-21, Note of Count Saint-Vallier, French Ambassador at Berlin to M. Barthélemy, Minister of Foreign Affairs, October 30/ November 11, 1880.

that they understood the importance of a struggle that was on the point of beginning, and they at least felt no regret over the matter. This is not the scrupulousness of sincere friendship. It is permissible to infer from the attitude observed by the German Government that if it did not control the conduct of its representative in China, then it at least associated itself with his designs. <sup>1</sup>

Of the Western European powers concerned with the Far East, it can be affirmed that only England and France were earnestly desirous of the maintenance of peace in that quarter of the globe. Aside from mercantile interests and the knowledge that many of the Chinese would hail the death of Ch'ung-hou as a signal victory for the anti-foreign partisans, these two nations were agitated over problems much nearer home. France could not relieve herself of the anxiety aroused by the 'war scare' of 1875 between her and the German Empire. As a result she feared to see Russia launch herself into a hazardous adventure which would certainly cripple her freedom of action in the Baltic. <sup>2</sup> On the other hand she reflected that China once relieved of her present difficulties would turn against her in Tong-king. <sup>3</sup> England was preparing for the occupation of Egypt in which project she was not being hindered by France, but the British had forebodings that

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1) Chéradame, André, *Op. cit.*, 79.

2) Cordier, Henri, *Op. cit.*, 211.

3) There was a certain correctness in the French expectations since the Tong-king war broke out in 1883 and lasted until 1885.

if they were involved elsewhere they could not keep a watchful eye on Russia in the Far East.<sup>1</sup>

Hence, both France and England were animated by commercial and political motives in their efforts to promote an accord between Russia and China by soliciting the pardon of Ch'ung-hou. Sir Thomas Wade delivered a petition to the Chinese Government on June 3/15 imploring Imperial clemency in the name of the Queen for the Chinese Envoy.<sup>2</sup> The French Minister was authorized by the President of France to take a similar measure.

Almost an even month before the French and English legations placed before the Throne their petitions for the freedom of Ch'ung-hou, Kuo Sung-t'ao had committed for the Empress' attention a Memorial<sup>3</sup> of his reflections on the perplexing difficulties at hand. In this memorialist's opinion the question of Ch'ung-hou's punishment should be settled by reference to international law, by which he no doubt meant that the case should be judged by precedents established in the European countries. Tso believed that the mitigation of the envoy's sentence to a heavy fine would be a balm to Russian indignation. If his sentence remained unchanged, Russia would beset China

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1) Cordier, Henri, Op. cit., 211.

2) Ibid., 212.

3) Appendix B, Memorial submitted to the Imperial Throne by Kuo Sung-t'ao on May 14, 1880.



with great difficulties, and the nations of the world would condone her conduct. It is possible that the Chinese Government would have deferred to this advice, although very tardily. However, the earnest requests of the French and English ministers forced it to more prompt action.

<sup>1</sup>  
A Decree was issued on June 14/26 of provisional pardon for Ch'ung-hou. After a prefatory statement justifying the sentence pronounced against Ch'ung-hou, the Decree assumes an explanatory tone:

But it recurs to us that the opinion prevailed after the sentence of Ch'ung-hou that, contrary to our intentions, the Russian Government was affected. For more than two hundred years China and Russia have entertained amicable relations.

Ch'ung-hou did not clearly explain to the Russian Government those matters upon which concession was incompatible with the instructions which he received from us while he was on his mission abroad. As he exhibited too little circumspection in his negotiations, he alone is responsible for the chastisement which he incurred, and his sovereign punished him in conformity with the statutes of the Empire.

The fact that a Chinese subject was judged in accordance with the laws of his country should not in any way affect the Russian Government.

However, since there have been appeals that the reports which were circulated about did not convey a clear idea of the activities of the Chinese Government, and since their contemptuous language would give rise to suspicions elsewhere which would not fail to compromise the amicable relations which we have maintained with Russia, we decided that the sentence which condemns Ch'ung-hou to a deferred sentence of death will not be executed. But Ch'ung-hou nevertheless will be kept in prison, until it is known, after the arrival of Ts'eng Chi-tse, how

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1) Cordier, Henri, Op. cit., 213-14, Provisional pardon of Ch'ung-hou.

matters will turn out. Such being the case, we will issue a new warrant.

As soon as Ts'êng Chi-tsé is informed of the present document, he shall inform the Russian Government that for the present Ch'ung-hou will not be decapitated and that in this act may be found the proof of the friendly sentiments which bind China and Russia together.

As for the negotiations, Marquis Ts'eng will conduct them in accordance with previous instructions.

It will not escape one's attention that this decree bore a placatory tone and while it did reaffirm the guilt of Ch'ung-hou, the Peking Court clearly evinced its desire for a settlement by its remission of the death fixed for the Plenipotentiary. The Marquis Ts'êng Chi-tsé, who was at this time preparing to depart on his mission to St. Petersburg in accordance with his instructions from Peking, communicated the intelligence of the provisional pardon to the Russian Government after having imparted the same information to the French and English Cabinets.<sup>1</sup>

However, this knowledge did not prevent a Russian naval demonstration in Far Eastern waters in the month of July.<sup>2</sup> Under the command of Admiral Lesovsky, a naval array of formidable dimensions composed of four iron-clad vessels, three cruisers, three ships of war, and a number of smaller boats cruised in the Pacific. Peking was put

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1) Ibid., 213.

2) Ibid., 214.

into a state of great alarm and excitement over this array of gun boats almost at its very portals. Li Hung-chang, who was deeply perturbed, appealed to Colonel Gordon, hero of the T'ai-p'ing Rebellion, to come post-haste to Peking. As soon as Gordon arrived at Tientsin, Li Hung-chang implored him to go to Peking and open the eyes of the Court as to the precarious state of affairs. Arriving at the capital July 16/28, Gordon immediately put himself in touch with the members of the Tsung-li Yamên. With the true militarists point of view, the Colonel assumed that a war was imminent. He pressed the following argument upon the Yamên:

The present dyansty of China is a usurping one-- the Mantchou. We may say that it exists by sufference at Peking and nowhere else in the Empire. If you look at the map of China, Peking is at the extremity of the Empire and not a week's march from the Russian frontier. A war with Russia would imply the capture of Peking and the fall of the Mantchou dynasty, which would never dare leave it, for if they did, the Chinamen in the south would smite them. <sup>1</sup>

The effect of the impetuous soldier's visit upon the Ts'ung-li Yamên has certainly been overplayed by European writers. His curt words probably only vivified in the minds of the Chinese their own military incapacity in the event of hostilities with Russia. Upon Russia, Gordon's widely circulated verdict may have had a slightly emboldening influence. <sup>2</sup>

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1) Boulger, Demetrius Charles, The Life of Gordon, 224-25.  
 2) Michie, Alexander. The Englishman in China during the Victorian Era. II, 292.

## CHAPTER V

## THE TREATY OF ST. PETERSBURG

The Marquis Ts'êng Chi-tsê having arrived in St. Petersburg July 30/August 11, 1880,<sup>1</sup> succeeded in obtaining a hearing before Prince Gorchakov but met with an adamant refusal to accept his papers as a duly accredited Minister Plenipotentiary for the opening of discussion on the disputed portion of the Treaty of Livadia. Perceiving that the Russian injured self-respect had not been entirely healed by the contingent pardon of Ch'ung-hou, Ts'êng Chi-tse telegraphed to the Yamên. "I beg of you," his message ran,<sup>2</sup> "to intercede before the court in favor of Ch'ung-hou."

Now imminently aware of the seriousness of Russia's stand and that only by a final pardon of Ch'ung-hou could any advance toward the hoped-for solution be accomplished, the Imperial Court issued the following Decree on August 12/24:

By a preceding Decree Ch'ung-hou, condemned to capital punishment after incarceration, was provisionally pardoned but was to be retained in prison. Ts'êng Chi-tsê was ordered to apply himself actively to the treaty negotiations.

The Tsung-li Yamên has just announced to us that it has received a telegram in which Marquis

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- 1) Chi-tsai Hoo, Les Bases conventionnelles des Relations modernes entre la Chine et la Russie, 388-89.
  - 2) Cordier, Henri, Histoire des Relations de la Chine, II, 217, Memorandum of the Tsung-li Yamên to the French Minister, Bourée, at Peking, August 1/12, 1880.

Ts'eng, who is occupied with the negotiations, entreats it to intercede in behalf of Ch'ung-hou.

We order that by an act of extraordinary clemency, Ch'ung-hou be given his freedom and that the competent authorities be informed of the present decision. <sup>1</sup>

As a result of the complete amnesty granted Ch'ung-hou, Ts'êng Chi-tsê was received in audience by the Tsar at Tsarskoe Selo on August 22/ September 3. After the Chinese envoy informed the Tsar that, as Ch'ung-hou had now been remitted of his sentence, nothing interfered with the assumption of negotiations, his Majesty expressed the hope and desire of seeing the difference composed pacifically. <sup>2</sup>

The Memorial <sup>3</sup> presented by the Marquis to the Chinese Court before his arrival at St. Petersburg exemplified very well the sanity and competence of the new negotiator. He vigorously opposed a futile war, could not submit to the abandonment of Ili, and had no faith in a peace obtained by the complete rejection of the Treaty of Livadia with a new settlement accomplished by bargaining away all advantages. He wrote:

Your Majesties, the Empress Dowager and the Emperor, feeling deep compassion for the nation's weariness and desirous of relieving the people of their exhaustion, have commissioned me, your humble

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1) *Ibid.*, 218.

2) Chi-tsai, Hoo, *Op. cit.*, 389.

3) Appendix C, Memorial submitted to the Imperial Throne by Tsêng Chi-tsê on July 22, 1880.

minister, wish today to lay before you is nothing outside of these three essential points: namely, boundary, trade, and redemption. Of these three items, redemption is the least important, and between boundary and trade, the latter is much the less vital.

In my humble opinion, since the boundary determined upon will be permanent, we must on this point stubbornly uphold our rights. We must endeavor to eliminate the most absurd provisions of the treaty's items on trade. The remainder of these may well be left as they stand.

If some of the terms appear too unfavorable, they may be changed at the time of the treaty's renewal. We should try to accommodate ourselves to a temporary unfairness in order to avoid a severance of peaceful relations. Our attitude should be self-possessed and deliberate: for this is no problem that can be settled in a day and a night. 1

With reference to an absolute rejection of the Treaty of Livadia the Plenipotentiary affirmed:

If we first refuse to accept every article of the present treaty, and then are compelled to compromise, such an end will only provide Russia with greater opportunity for deception, as well as serve as a suggestion to all the other Western nations. I doubt that this procedure would be of any benefit in the Ili negotiations. On the contrary, it would harass our foreign relations in the future. These are my reasons for advising that we hold firm in the boundary question, while we may yield on the terms of trade. 2

That the Peking Court adhered to these suggestions may be readily gathered from the negotiations which Marquis Ts'êng conducted with the Russian ministers.

The conferences opened September 1/12 with Prosper Giquel and Sir Halliday Macartney at the Chinese envoy's

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1) Ibid., 5-6, 7, 8.  
2) Ibid., 10.

side to provide advice as to diplomatic procedure should the occasion require it.

Even though Ch'ung-hou had been granted a complete pardon, Ts'êng Chi-tsê did not find progress easy. M. Butzov, the Minister to Peking, had been detained in St. Petersburg for some time. Now he was commissioned to return to his post at Peking to secure the ratification of the Treaty of Livadia. The reasons advanced at St. Petersburg for his departure were to the effect that Butzov's presence at Peking would secure Russia from any further attempt at repudiation of the treaty.<sup>1</sup> On the request of the Chinese Envoy he was ordered to return to St. Petersburg.<sup>2</sup> After his arrival at the capital, Butzov, with the Vice-Minister of Foreign Affairs Jomini, took up the burden of the subsequent conversations.

In his negotiations, Ts'êng Chi-tsê was brought face to face with the repeated assumption of the Russians that the Treaty of Livadia should be ratified. Those alterations desired by China could be added as a special supplement to the treaty proper.<sup>3</sup> The Chinese Envoy on the contrary insisted that the original text must be altered to eliminate the unfavorable terms that it contained.<sup>4</sup>

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- 1) Minutes of the Sino-Russian Conferences, 13, 22.
  - 2) Ibid., 20, 21.
  - 3) Ibid., 45-46.
  - 4) Ibid., 46.

In a note of July 11/23, 1880, Prince Gorchakov summarized the points upon which China had to come to agreement. These were, in brief: (1) pardon of the inhabitants of Ili, (2) payment of the expenses for maintaining that region for China, (3) concession of a portion of territory for the settlement of those inhabitants of Ili who should desire to assume Russian citizenship.<sup>1</sup> It will be observed that these items did not differ in conception from the clauses of the Livadia Treaty.

To the first of these specifications, Ts'êng Chi-tsé willingly consented. As to indemnification, he declared that the basis should be as stated in the former treaty. But with reference to the cession of territory, the Chinese Plenipotentiary hedged. A small strip of territory would be yielded, he said, since this concession would not involve the loss of any strategical advantage to China.<sup>2</sup> The transfer of the Ili valley and the T'ien-shan passes to Russian sovereignty as provided by the Livadia Treaty would never under any circumstances be permitted.

Butzov thereupon asserted that Russia must have compensations for any compromises made.<sup>3</sup> Without inquiring into the nature of these compensations the Chinese envoy made it known that his explicit instructions forbade his

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1) Ibid., 26.  
 2) Ibid., 27.  
 3) Ibid., 45.



conceding any disadvantages for China. As the discussions continued with neither party willing to yield to the other, Jomini finally declared that the time limit set for the negotiations would soon elapse, and it was the opinion of the Tsar that on the expiration date he would order Admiral Lesovsky, then in Chinese waters, and Chargé d'Affaires Koyander at Peking, to submit an ultimatum to China.<sup>1</sup>

In view of this disclosure, Ts'êng Chi-tsé revealed September 8/10 on his part that his government had instructed him on two alternatives for settlement.<sup>2</sup> The first of these involved the return of the Ili territory ceded by the Treaty of Livadia. However, since Russia would exact undetermined compensations for the release of Ili, this project had to be abandoned. The second alternative considered the cancellation of the disputed treaty and the return of Ili to be held in temporary abeyance.<sup>3</sup> Attempts at a harmonization of the commercial difficulties might still be continued. As the Chinese affirmed at the time, both Butzov and Jomini had already suggested the cancellation of the Livadia Treaty.

Thus the Marquis by his candor forced the Russians to desist from making circumlocutory statements. They

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1) Ibid., 63.

2) Ibid., 68-69.

3) Such was the advice of Kuo Sung-t'ao in his Memorial to the Throne, Vide Appendix B, 3-6.

perceived too that the Envoy would not be intimidated by threats of an ultimatum. What China does not agree to now she will not submit to under the menace of Russian warships was the substance of Ts'êng Chi-tsê's replies. Whereupon the Russian negotiations changed their approach. Russia desired the continuance of peaceful negotiations. She had not really meditated any coercive measures.<sup>1</sup> Both parties agreed that in any case a war would be mutually disadvantageous. Now that the Russian Ministers were speaking with greater frankness, they exhibited the unpreparedness of their government for the exertion of any military pressure.

In the subsequent conversations, both the Russian and the Chinese negotiators evinced a greater desire to arrive at some common accord. The Chinese Envoy remarked that the restoration of the whole of Ili would enable Russia to secure more favorable consideration on commercial matters.<sup>2</sup> On September 28/ October 10, Ts'sêng Chi-tsê received from Butzov and Jomini the promise that Russia would return the whole of the Ili valley with the exception of a restricted area forming the western portion of the valley.<sup>3</sup> Thus the Muzart Pass would be restored to Chinese sovereignty. The Chinese envoy quibbled for a

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1) Ibid., 88, 92.  
 2) Ibid., 93.  
 3) Ibid., 94-96.

time over the retention by Russia of the narrow strip of land to be reserved for the settlement of those inhabitants of Kuldja who should desire Russian citizenship.<sup>1</sup> Yet his point had been won: Ili and the strategically important Muzart Pass were to be ceded back to China.<sup>2</sup>

By the Treaty of Livadia, the boundary near Tarbagatai determined by the Protocol of Chuguchak, 1864, was altered so as to provide Russia with what was accounted to be a superior frontier line.<sup>3</sup> Likewise, by the same treaty the boundary between Ferghana and Kashgaria was shifted to what was believed to be a better delineation.<sup>4</sup> To both of these articles of the treaty Ts'êng Chi-tsê demurred as he considered them to be a most inequitable assignment of territory.<sup>5</sup> However, by the final settlement the Marquis did yield in part. In the revised Treaty of St. Petersburg, the boundary line near Tarbagatai as fixed by Livadia was modified more in words than in fact.<sup>6</sup> The frontier between Ferghana and Kashgaria was returned to approximately its former position before the Treaty of Livadia. Instead of a detailed statement as found in the

1) Ibid., 35.

2) For the revision of the boundary Cf. Art. VIII in the Treaties of Livadia and St. Petersburg, Appendices D and E. 220.07 square miles were retained by Russia; 1082.9 square miles were returned to China, in Glavnyi Shtab, XII, 95.

3) Appendix D, Treaty of Livadia, Art. VIII.

4) Ibid., Art. VII.

5) Minutes of the Sino-Russian Conferences, 97-99.

6) Cf. Treaty of Livadia, Art. VIII and Treaty of St. Petersburg, Art. VIII, Appendix D and E.

Treaty of Livadia, the Treaty of St. Petersburg read that the commissioners who were to be appointed to fix the new boundary of Ferghana "will take the present frontier as the basis of their labors."<sup>1</sup>

Almost from the date of the initial discussions Ts'êng Chi-tsê had insisted on the elimination or revision of the Protocol of the Livadia Treaty which conferred upon the Russians the right of navigation of the Manchurian River Sungari as far as Petuna.<sup>2</sup> On the various occasions which brought this subject up for attention, the Chinese Plenipotentiary advanced three reasons for the exclusion or at least restriction of Russian commerce on the Sungari River: (1) Petuna, the termination point of Russian navigation, was the home of the Manchu dynasty; (2) the inhabitants opposed the presence of foreign steam-boats; (3) by the most favored nation stipulations of the treaties, China, if she complied with the Russian demand, would have to concede a like right to the other nations on all her interior rivers.<sup>3</sup> The detail of these items, while not of sufficient force to convince the Russian negotiators, nevertheless caused them to eliminate the provision of navigation as far as Petuna. By Article XVIII of the Treaty

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- 1) Cf. Treaty of Livadia, Art. VII and Treaty of St. Petersburg Art. VIII, Appendices D and E.
  - 2) Appendix D, Treaty of Livadia, Special Protocol on the Treaty of Aigun, 1858.
  - 3) Minutes of the Sino-Russian Conferences, 29, 40-41, 99-101. This idea had been presented in Chang Chih-tung's Memorial. vide Appendix A, 1-2.

of St. Petersburg an agreement was obtained that "Both Governments will proceed to the establishment of an understanding concerning the mode of applying the said stipulations."<sup>1</sup> Hence, while China had not succeeded in having the Protocol of Aigun made valid, she had deferred the application of its provisions to a more propitious time. In fact, the Sungari River was completely closed to Russian commerce in 1894.<sup>2</sup>

Article XVIII reaffirmed the rights of Russian subjects to navigate the Amur, Sungari and Ussuri Rivers and to trade with the inhabitants of riverain places, a privilege that had been acquired in 1858 by the Treaty of Aigun.<sup>3</sup>

In October, when the question arose of compensation of Russia for the expenses of her military preparations in the event of a war with China, Jomini claimed that these additional charges should come under the heading of a military indemnity.<sup>4</sup> Arguing that China, by making military preparations and maneuvers had forced Russia to do likewise, the Russian Minister maintained that the responsibility for these expenses lay upon China. Chinese pride would never tolerate an insinuation that carried the

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- 1) Appendix E. Treaty of St. Petersburg, Art. XVIII.
  - 2) Chi-tsai, Hoo, Les Bases conventionnelles des Relations modernes entre la Chine et la Russie, 431.
  - 3) Nevertheless, this arrangement was not finally concluded until August 9/22, 1910. Vide Tyan, T. Z., The Legal Obligations Arising out of the Treaty Relations between China and other States, 12, note.
  - 4) Ibid., 102. Vide also Cordier, Henri, Op. cit., 221, Despatch of General Chanzy, French Minister at St. Petersburg, to the French Foreign Office.

stigma of defeat in war. Consequently, Ts'êng Chi-tsê, to save his country's face, suggested that an additional payment might be made for the occupation of Kuldja during the period of one year and three months which China had consumed in postponing the ratification of the Treaty of Livadia.<sup>1</sup> To this suggestion the Russian Ministers were entirely agreeable. It will be noted that in this regard Protocols of both the Treaty of Livadia and of St. Petersburg employ identic language with the exception of the amount to be paid to Russia, it having been increased by 4,000,000 rubles to equal the sum of 9,000,000 rubles.<sup>2</sup>

Whereas Marquis Ts'êng Chi-tsê was more concerned over the rendition in full of the Ili and Tekes valleys than with commercial concessions, the Russian negotiators had quite the opposite purposes in mind. For Russia, commercial considerations were paramount. Hence, when Li

Hung-chang urged Ts'êng Chi-tsê to make haste and be accommodating as to details,<sup>3</sup> the Chinese envoy was disposed to be conciliatory. Furthermore, as he had advised in his Memorial to the Throne, only the most objectionable of the Livadia Treaty's trade regulations need be revised; the remainder might be left to stand, for commercial items were subject to change on their renewal.<sup>4</sup> Such too, was

1) Ibid., 105. Also vide text ante 68-69.

2) Appendix E, Treaty of St. Petersburg, Protocol.

3) Cordier, Henri, Op. cit., 219.

4) Appendix A, Memorial Submitted to the Imperial Throne by Ts'êng Chi-tsê, 6-7.

the tenor of the Envoy's instructions from Peking.<sup>1</sup>

Therefore the main body of the commercial regulations was left intact. Several minor alterations, however, were deemed necessary. In order to evade any repetition of the violent protests that had been aroused over the granting by the Treaty of Livadia of a direct transit of goods from Kiakhta to Hankow or from any of the towns of Hsin-chiang to the latter city,<sup>2</sup> Ts'êng Chi-tsê proposed that the provisions for a route to Hankow be struck out and in its stead Chia-yü-kuan be placed in the same category as Tientsin.<sup>3</sup> Russian merchandise transported to this entrepot would thereby pay two-thirds the import duty rather than the full tariff levied at Kalgan. By Article 5 of the Regulations for the Land Trade of the Treaty of St. Petersburg this suggestion was thus phrased.

Ts'êng Chi-tsê believed the number of consulates to be established by the Treaty of Livadia to be too large. As the Chinese people become more accustomed to the presence of foreigners and trade increased in prosperity, more consulates could be accorded to Russia.<sup>4</sup> Here again the Russian negotiators yielded, and by Article X of the St. Petersburg Treaty consular representation was restricted

1) Minutes of the Sino-Russian Conferences, 28.

2) Appendix D, Treaty of Livadia, Regulations for the Land Trade, Art. 3 and 5.

3) Minutes of the Sino-Russian Conferences, 93.

4) Ibid., 28.

to the addition of merely two towns, those of Chia-yü-kuan and of Turfan, instead of an increase of seven as provided by Article X of the Treaty of Livadia.

Article XII of the Treaty of Livadia authorized Russian merchants to carry on trade free of duty in Mongolia and in Hsin-chiang as far east as the Great Wall. While admitting these areas to be poor, the Chinese Plenipotentiary judged it to be expedient to modify this provision so that it would state that the freedom from duty was but a temporary measure.<sup>1</sup> By this means, the alarm of those Chinese, who were uninformed as to the actual state of affairs, would not be excited. In any case, as the Envoy maintained, the free transit of goods was merely a friendly encouragement to Russian merchants. The second paragraph of Article XII of the Treaty of St. Petersburg therefore contained the proviso:

This privilege will be withdrawn when the development of trade necessitates the enactment of a Customs Tariff, in accordance with an understanding to be arrived at between the two Governments.<sup>2</sup>

The new treaty's commercial provisions and its land trade convention were to be subject to revision every decade. In this regard Article XV in part reads:

The commercial stipulations of the present treaty, as well as the Regulations which serve as its complement, may be revised after a lapse of ten years; to date from the day of the exchange

1) Ibid., 28-29.

2) Appendix E, Treaty of St. Petersburg, Art. XII.



of ratifications of the treaty; but if within the course of six months before the term expires, neither of the Contracting Parties should manifest a desire to proceed to its revision, the commercial stipulations, as well as the Regulations, will remain in force for a further term of ten years. 1

The same Article XV concluded with the paragraph:

Trade by sea carried on by Russian subjects in China will come under the general Regulations established for foreign maritime commerce with China. Should it become necessary to modify these Regulations, the two Governments will come to an understanding on the subject. 2

As a consequence of this provision Russia retained the possession of unexampled privileges of maritime commerce on equal terms with the other European nations on one side, and on the other the rights of free trade the length of China's far-flung borderlands.

That Russia had yielded much to the Marquis Ts'êng Chi-tsê may be attributed, according to the reader's turn of mind, either to that nation's fear of going to war with China at the time or to the malleability of the Russian diplomats. A tribute must be accorded to the Russian negotiators for their patience, tact, and willingness to compromise. 3 It should not be forgotten that Russia, though at great loss to herself, certainly ultimately could have forced the Treaty of Livadia upon China.

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1) Ibid., Art. XV.

2) Idem.

3) Alexander Ular in his work, A Russo-Chinese Empire, 9-10, dwells on the superior understanding of the Russians of the Chinese. The Russians were more willing to treat with Orientals on terms approaching equality than were West European peoples.

For his adroitness and his comprehension of the situation, the Marquis Ts'êng Chi-tsê must receive the highest laurels. He returned to Peking, after a term of service in London, Paris, and St. Petersburg of nine years "to be loaded with honors as the most successful diplomatist China has sent abroad in modern times."<sup>1</sup>

The Treaty of St. Petersburg was signed by the Minister of Foreign Affairs Giers and by Butzov, Minister of the Tsar at Peking for Russia, and by the Marquis Ts'eng Chi\*tse for China on February 12/24, 1881. The treaty received the seals of ratification by the Emperor of China of May 3/15, 1881, and by the Tsar Alexander III on August 7/19 of the same year.

The year 1881 may be said to signal the close of the "heroic period" of Russian history in Central Asia, for in January the Turkomans were defeated at Geok Tepe and in February by treaty covenant the Russo-Chinese western boundary was permanently stabilized.

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1) Martin, W. A. P., A Cycle of Cathay, 386.

## CHAPTER VI

## THE RENEWAL OF THE TREATY OF ST. PETERSBURG

A detailed recital of the intricacies of the relations between Russia and China for the thirty-three year period from 1881 to 1914, when the Treaty of St. Petersburg was renewed by the exercise of Russian coercion, would not come under the purview of this study. It will be expedient, however, to bring into relief the direction of the events that converged in 1911-1914.

By the early years of the twentieth century, the Russian Government's attention was seldom diverted from its engrossing pre-occupation in the Far East. The Trans-Siberian Railroad had been laid like a narrow iron ribbon in a curve above the Mongolian frontier until, nearing its eastern terminus, one segment was diverted across Manchuria. The tracing of this line on the map reveals the delicate insecurity of its placement: at any one of a number of exposed points it might be severed to isolate Vladivostok and the whole of the Empire's Pacific possession. Therefore, it followed of necessity that the Russian Government must maintain a prior interest in Mongolia and North Manchuria.

The Manchu régime had awakened from its somnolence during the last few years of its existence to adopt a

program of specious political reform and an earnestly aggressive policy in Manchuria and Mongolia. The encroachments of Japan in Manchuria following the Russo-Japanese war and the pressure of the ponderous weight of the Russian Empire to the north gave impetus to its measures. By its efforts in 1911 to establish a cabinet government braced on the rotten foundations of the decadent central boards and moreover, to pack this cabinet with incapable and corrupt Manchus, the Peking Government signified its hidden purpose was to erect a military dictatorship.<sup>1</sup> This was the first concussion that was soon to set off the dynamite of revolution in China. The second related to the Four Power Consortium organized for the placement of loans in Western hands for the construction of railways depriving the Chinese provincial business men of any interest in the transactions.<sup>2</sup> The third centered in the Manchu policy of assimilation for Mongolia and Manchuria. These are among the more immediate causes of the Chinese Revolution of 1911.

Mongolia and northern Manchuria extended like a kind of no-man's land between the two Empires. While Russian interests dictated no conquest of Mongolia or Northern Manchuria,<sup>3</sup> her own self protection decreed that

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- 1) Holcombe, Arthur N., The Chinese Revolution, A Phase in the Regeneration of a World Power, 87.
  - 2) Ibid., 88.
  - 3) Siebert, B von, and Schreiner, G. A. Entente Diplomacy and the World, 26, Protocol of and Extraordinary Meeting of the Ministerial Council at St. Petersburg, Nov. 19/ Dec. 2, 1910.

she retain that area as a buffer state against China or any other nation. China, on the other hand, pursued what was to her a defensive policy, in her attempts at absorption of her borderlands.

Manchuria's government was integrated with the Eighteen Provinces.<sup>1</sup> Governor Tang of Feng-tien province, Manchuria, encouraged a colonization scheme to increase the population of the northern districts.<sup>2</sup> As early as 1906 a Mongolian Bureau had been founded at Peking;<sup>3</sup> by 1909 the annual rate of emigration into northern Mongolia had mounted to the number of one hundred thousand annually.<sup>2</sup> Accompanying this roll of population were military garrisons and a strict administrative system. The intent was to have by 1911 two thousand men stationed at Urga, the military base for Mongolia.<sup>3</sup> Far distant Kobdo and Tarbagatai were to receive even larger garrisons. In addition to this array of armed forces, heavy taxes and government bureaus were imposed upon the freedom-loving Mongols. All these measures were exceedingly onerous to the nomadic population of the Mongolian plains. Threatened with being engulfed by the Chinese settlers and faced with the probable extinction of their cherished privileges of self-rule,

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- 1) Weigh, Ken Shen, Op. cit., 155.
  - 2) Morse, H. B., and MacNair, H. F., Op. cit., 564.
  - 3) Weigh, Ken Shen, Op. cit., 155.

they were soon to supplicate the Tsar for the removal of these oppressions.

In 1907, 1909 and 1911 Russian Deputations, euphemistically termed 'scientific' or 'mercantile missions', had traversed Mongolia for the purpose of investigating the state of trade and the resources of that country. The scientific mission of 1909 under Colonel Popov recommended, on its return, the construction of a branch railroad of the Trans-Siberian from Lake Baikal to Urga.<sup>1</sup> The expedition of 1911, headed by M. Bogoliepov, was under the auspices of the Russian Government and had as its purpose an inquiry into the state of Russian trade in Mongolia.<sup>2</sup>

As the date of the third renewal of the Treaty of St. Petersburg of 1881 was growing imminent, it was becoming increasingly obvious that China would not willingly grant its renewal. This convention facilitated too well for the Chinese Government's peace of mind the ingress of Russian commercial, and in direct sequence political, aggrandisement.

That the Government at St. Petersburg was fully cognizant of the reluctance of the Chinese Government to

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1) Ibid., 161.  
2) Idem.

confirm the treaty anew may be readily ascertained from a précis of an Extraordinary meeting of the Ministerial Council on November 19/ December 2, 1910.<sup>1</sup> The Minister of Foreign Affairs reported the renewal of the Treaty of St. Petersburg would in all probability cause considerable difficulty since the Chinese Government expressed "the intention of bringing forward an entire series of political questions besides those of a purely commercial character."

According to the opinion of the Minister of War direct action should be taken immediately by the annexation of Northern Manchuria since Japan was taking measures for the annexation of the southern sector of that province. As added reasons for a military advance, he cited the increasing penetration of Chinese colonization and the first stages of the reorganization of their military forces in Manchuria. Both of these pursued strategic aims. A statement of procedure advised by the Foreign Minister followed:

We must naturally safeguard by all means in our power our covented rights in China. If necessary we must resort to imposing our Consular representations by force, or to similar energetic measures. Experience has taught us that China has always yielded, when we, knowing ourselves to be in the right, addressed to her categorical demands. Such policy will always meet with the approval of public opinion in Russia and will call forth no open opposition on the part of the Great Powers.<sup>2</sup>

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- 1) Siebert, von B., and Schreiner, G. A., Op. cit., 24-27, Protocol of an Extraordinary Meeting of the Ministerial Council in St. Petersburg, Nov. 19/ Dec. 2, 1910.  
 2) Ibid., 26.

After having reserved for future action the annexation of Manchuria the meeting concluded with the decision that:

The Ministerial Council sanctions the measures proposed by the Minister of Foreign Affairs to exert pressure on China. In case of necessity however there must be no shrinking from forceful measures. 1

The Russian Imperial Government insisted that China leave the status quo of Mongolia unchanged, and that she<sup>2</sup> furthermore take no military measures in that region. The St. Petersburg Treaty must likewise be renewed, but the intended ultimatum to China was to be addressed before the expiration date of the treaty, so as not to convey the impression that it was delivered in reply to China's notification of its expiration.<sup>3</sup> A military demonstration at Ili and the occupation of the Uriankhai Territory was contemplated, if China should resist the ultimatum.<sup>4</sup> The concentration of troops was begun at Varkent on the Ili border and at Ussim.

In February 1911, an ultimatum insisting on the renewal of the Treaty of St. Petersburg was delivered to the Chinese Government.<sup>5</sup> The reply from Peking was "of an

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1) Ibid., 27.

2) Ibid., 23, Sazanov to Russian Ambassador at London, Nov. 27/ Dec. 10, 1910. No. 1369.

3) Ibid., 29, Sazanov to Russian Minister at Peking, Jan. 24/ Feb. 6, 1911.

4) Idem.

5) Weigh, Ken Shen, Op. cit., 150.



accommodating nature"<sup>1</sup> and apparently satisfactory. Nevertheless, on the approach of the renewal date, August 7/20, the Chinese Government continued to disregard the repeated admonitions of the Russian Minister, Korostovetz, at Peking. On the contrary it pointed out that the treaty<sup>2</sup> was renewable only on the consent of both nations.

Time continued to be consumed in inclusive conversations between the Russian Minister Korostovetz and the Peking Government over infringements alleged on both sides of the commercial regulations of the 1881 treaty. The Russian protest was entered against the monopoly maintained by the Chinese merchants in the tea trade and the prohibition exercised by the Chinese officials against the sale of that commodity by Russian merchants.<sup>3</sup> In taking this position the Chinese Government was acting in pursuance of the Regulations for the Land Trade contained in the Treaty of St. Petersburg. By Article 11 of Regulations it was provided that the transport permit for the export of merchandise to Russia "will mention the prohibition to sell goods on the road", and Article 8 exacted the penalty of confiscation for "goods concerning which it is<sup>4</sup> ascertained that a portion has been sold on the road."

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1) Ibid., Sazanov to Russian Ambassador at London, Feb. 8/21, 1911, No. 172.

2) Weigh, Ken Shen, Op. cit., 154.

3) Morse, H. B. and MacNair, H. F., Far Eastern International Relations, 563.

4) Appendix E, Treaty of St. Petersburg, Regulations for the Land Trade, Art. 8, 11.

At the same time the Russian Government asserted the necessity of an increase in the number of consulates in Mongolia, but objected to China's countermove of establishing a customs tariff directed against Russian goods.<sup>1</sup> Both of these could have been effected by mutual agreement. Article X of the 1881 treaty advised an increase of the number of consulates "accordingly as they are called for by the development of commerce, and after coming to an understanding with the Chinese Government," and Article XVI reads with reference to duty free trade that "This privilege will be withdrawn when the development of trade necessitates the enactment of a customs tariff, in accordance with an understanding to be arrived at between the two Governments."

But even while the discussions were proceeding, the Empire of the Manchus was on the eve of downfall. The first light of revolt flared up at Wuchang on September 28/<sup>2</sup> October 11, 1911. The news of the revolution was hailed with joy in Mongolia,<sup>3</sup> and before the year was out the lamas and princes of that land had declared their independence of China and had invoked the eager hand of Russia for the support of their new freedom.

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- 1) Morse, H. B. and MacNair, H. F., Op. cit., 563.
  - 2) Morse, H. B., The International Relations of the Chinese Empire, III, 444.
  - 3) Morse, H. B., and MacNair, H. F., Op. cit., 565.

But two months before the first Russo-Mongolian Pact<sup>1</sup> of October 21/ November 3, 1912 guaranteeing the assistance of Russia in the maintenance of Mongolia's autonomy, the Russian Minister at Peking addressed a note<sup>2</sup> to the recently founded Chinese Republic. This note, dated August 24/ September 6, 1912, was couched in the form of an ultimate statement of Russia's position. Since all the efforts of the Russian Government for revision of the Treaty of St. Petersburg evoked no response, the Treaty must be considered as renewed for another period of ten years, that is to August 7/20, 1921. The first section of the text follows:

On October 25/ November 7, last year the Imperial Russian Government handed to the Chinese delegate its counter proposals for the revision of the St. Petersburg treaty of 1881, which up to the present still remain without answer. The repeated reminders of the Imperial Government as to the necessity in the interests of the trade of both countries, of coming to a conclusion of the negotiations already commenced for the revision of the said treaty, have not led either to the receipt of the consent of the Chinese Government to the Russian counter-proposals or to any other new proposals regarding the question. The attempt of the Imperial Government to come to an agreement with the Chinese Government regarding the date up to which the St. Petersburg treaty should be left in force has likewise remained without result.

Such a situation reacts in the most injurious manner on the Russo-Chinese overland trade which, having a biennial or even triennial turnover, has need of settled procedure more than any other trade. The continued uncertainty as to how long the existing system of trade relations on the frontier of

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- 1) MacMurray, J. V. A., Treaties and Agreements with and Concerning China, II, 16-23.
  - 2) Ibid., I, 650-51; Outer Mongolia: Treaties and Agreements, 11-12, Abolition of 50 verst Duty-Free Frontier Zone, Aug. 24/ Sept. 6, 1912. The text is translated from Izviestia, 1912; V, 74.

Russia and China will last, evokes just complaints from all sides.

In view of the above, having come to the conclusion that the Chinese Government is either unable or unwilling to negotiate a revision of the St. Petersburg treaty, and considering that the Chinese Government has not availed itself of the right to a revision of trade regulations conveyed under Article 15 of the said treaty, the Imperial Russian Government, desirous of establishing a sound system for Russo-Chinese overland trade, hereby declares that it is compelled to consider the St. Petersburg treaty of 1881 as remaining in force for a further period of ten years, i.e., to 7/20 August, 1921, in conformity with the stipulations contained in Article 15 1 of the treaty.

Placing itself in accord with the expressed desire of the Chinese Government for the abolition of the fifty verst duty-free zone on either side of the land frontier, the Imperial Russian Government decreed the abolition of this zone within its jurisdiction by January 1/14, 1913, inasmuch as this belt was now populated and the exact significance of the commercial privileges for it were being controverted. Conveying this decision to the Chinese Foreign Office the text above quoted concluded with the words:

Of the proposals communicated by the Chinese delegate in August last year, the Imperial Government has taken note of the desire of the Chinese Government to abrogate the special privilege of

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- 1) The pertinent paragraph of this Article reads:  
"The commercial stipulations of the present Treaty, as well as the regulations which serve as its complement, may be revised after the lapse of ten years, to date from the day of the exchange of the ratifications of the Treaty; but if, within the course of six months before that term expires, neither of the Contracting Parties should manifest a desire to proceed to its revision, the commercial stipulations, as well as the regulations, will remain in force for a further term of ten years." Vide Treaty of St. Petersburg, Art. XV, Appendix E.

duty-free trade in the fifty-verst zone on each side of the land frontier between Russia and China. The Imperial Government recognizes that under the present conditions when along the land frontier a series of populated districts has grown up, the existence of a fifty-verst free zone, established at a time when the frontier was uninhabited, has become in many places abnormal. This is confirmed by the series of difficulties which have arisen latterly as to the true meaning of the privileges connected with the existence of this zone.

Desiring to meet the above mentioned wish of the Chinese Government, expressed through its delegate for the revision of the St. Petersburg treaty, and recognizing the inconvenience of leaving the question of the fifty-verst privileged zone without decision for ten years, the Imperial Russian Government hereby informs the Chinese Government that the privileged zone on the Russian side of the land frontier between Russia and China will be abolished from 1/14 January, 1913.

It goes without saying that the Imperial Government will not object to the simultaneous abolishment of the privileged fifty-verst zone on the Chinese side of the frontier.

The Chinese Maritime Customs made a dilatory reply in a note of April 23/ May 6, 1914, providing for the annulment of the free trade zone for the Chinese side of the frontier on May 19/ June 1 of the same year.<sup>1</sup>

The Treaty of St. Petersburg along with the other accumulation of Russo-Chinese agreements was abrogated by the Chinese Presidential Mandate, September 23, 1920, following the receipt of notes from the Soviet Commissar of Foreign Affairs relieving China of the Tsarist conventions.<sup>2</sup>

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- 1) Weigh, Ken Shen, Op. cit., 153-54.
  - 2) Tong, H. K., "The New development in Sino-Russian Relations," Millard's Review, Oct. 9, 1920, pp. 281-82.

## CRITICISM OF THE BIBLIOGRAPHY

With reference to the various works which have been entered into the Bibliography, Henri Cordier's Histoire des Relations de la Chine avec les Puissances occidentales was found to be the most valuable since it is in large part a selection of source materials from the dispatches of the foreign embassies and from the Chinese archives. Necessarily the work is written with particular attention to the effect upon China of her foreign relations. Hence, it was deficient for this study in its lack of any comprehensive view of the Russian side of the Kuldja affair. This viewpoint is provided by Professor F. F. Martens who ably analyzed the position of the Russian Government during the Kuldja affair in his "Le Conflit entre la Russie et la Chine" published in the Revue de Droit international et de Législation Comparée in 1880. The writer was a Russian authority on international law as well as officially connected with the Russian Foreign Office.

M. A. Terent'ev's Istoriia Zavoevenia Srednei Azii s Kartami i Planami is the work of a Russian military historian and for this subject admirably complete. Hence, however, those portions devoted to the difficulties with China are almost entirely restricted to border troubles and the military occupation of the Ili valley.

A thorough investigation of the then newly acquired Russian Central Asiatic possessions was made by the American Eugene Schuyler in his Turkestan. And though many Russians looked askance upon the somewhat adverse conclusions of his studies, there is reason for believing that they were inspired by a coolly impartial attitude. More than one chapter of Turkestan is given to the causes for the occupation of Kuldja.

Of D. C. Boulger's numerous volumes it may be briefly stated that their author was an Englishman whose whole outlook on Russian affairs was colored, as were those of his countrymen, by an exaggerated fear of Russian aggression against India. Most of his books have no greater merit than one can assign to the productions of any contemporary journalist.

Hoo Chi-tsai's Les Bases conventionnelles des Relations entre la Chine et la Russie is lucidly written but is marred by its subjective bias against Russian policy. The book would have been of greater utility if its author had not occasionally fallen<sup>n</sup> into the too common error of attempting to indict a neighboring nation for a policy which was constructed on its own best interests.

A recent work by André Lobanov-Rostovsky, entitled Russia and Asia and based largely on lectures, is a secondary

account which presents, as the author advises in his Foreword, "a general view of the development of relations between Russia and Asia throughout the centuries." Hence, only a very restricted survey is provided of the Kuldja question. The author fails to reveal that the Russian military occupation of Kuldja was employed as a lever whereby the Russian Foreign Office might procure commercial concessions in Mongolia, as indeed it did by the Treaty of St. Petersburg in 1881. This consideration developed in significance, for later events clearly demonstrated that Russia's interest lay in the Far East.

It was the purpose of this study to knit together the documentary evidence from the Russian and the Chinese of such interrelationships as that above indicated in order that hitherto fragmented materials might be composed into a well-rounded synthesis.



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APPENDIX A

Memorial submitted to the Imperial Throne by Chang Chih-tung,  
January 17, 1880

Recently I learned from the Government Gazette of the Court deliberations on the Treaty made with Russia regarding which our Envoy had disobeyed the Imperial instructions. The terms of the Treaty, as far as I have gathered from general information, have aroused in me grave concern. Therefore, I respectfully submit an analysis of the advantageous and disadvantageous aspects of this Treaty for the attention of Your Majesty, the Empress Dowager, and Your Majesty, the Emperor.

We need here consider only the most serious defects of the Treaty's eighteen articles. Overland trade would be permitted to follow the route through Chia-yü-kuan, Hsi-an, and Han-chung directly to Hankow. Such authorization signifies the strategical value of Chin and Lung, the upper parts of Ching and Chu would all be surrendered. At the same time, new trading stations would be added day by day and their communication systems linked together. Then the frontiers would be too difficult for defense, and the interior exposed and lost. This is the first reason why this Treaty should not be ratified.

The present dynasty originated in the Three Eastern Provinces. Po-tu-na is the most important locality in Kirin. If foreign commerce be allowed to reach this point, then the whole of the Three Eastern Provinces might as well be opened to its unrestricted activity. The subordinate capital Mukden would be insufficiently protected. This condition would lead to the cession without justification of the territory extending for two thousand li to the west of the Sui-fen River. Moreover, the right of navigation of the inland rivers has been for years one of the demands of the foreign nations. If this right were conceded the Russians, surely the other countries would insist on a like consideration. These points form the second reason why this Treaty should not be ratified.

Even if the Government does not have any great desire for the income from the tariff, the Chinese merchants should be protected. If the regions of Tsungaria, the Mohammedan lands and all the leagues of Mongolia were opened

to the Russians without tax, the native merchants would fall into ever increasing distress. Yet the above mentioned consideration may appear relatively unimportant in contrast with the opening up of a weak and poor Mongolia for Russian exploitation, and the diverting of millions for military expenditure into Hsin-chiang merely for Russian advantage. What is more, if trading posts were established in Kalgan and other towns and depots were placed in the interior, these, with their later increase in number, would form in case of war a continuous line of Russian communication for a distance of one thousand li. These apprehensions constitute the third reason for the non-ratification of this Treaty.

Mongolia is the boundary screen for China. With its thousands of li of desert, Mongolia is the natural frontier for the exclusion of the barbarians. The Russians would find that an attack on such a frontier was no easy task. If Russia be permitted to occupy the whole of Mongolia, then that land would be at her mercy. In addition, she would tempt Mongolia with material benefits so that whenever difficulties would arise between Russia and ourselves, the former would be able to obtain valuable information without trouble. Our shelter would become the enemy's guide. These considerations form the fourth reason why this Treaty should not be accepted.

According to the Treaty's terms, Russia would be allowed to establish thirty-six trading stations, placing a very extensive area under her influence. During times of peace, so many merchants would be crossing and recrossing the frontier that too much attention would have to be devoted to their inspection. During time of war, too many localities would have to be defended. These reasons make up the fifth objection to the signing of the Treaty.

The previous treaties never provided for the carrying of arms by foreign merchants. Now, without advancing any reason, this Treaty specifies that each merchant may carry a gun. This concession is beyond understanding. If hundreds and thousands of Russians should suddenly cross the border, who would be able to determine whether they were merchants or soldiers? This is the sixth argument against the Treaty.

The Russians are exceedingly clever in dealing with the tariff. If all the other nations should ask for the same treatment under the most favored nation clause, then the national income from the tariff would be extinguished. And this is the seventh reason why China should not accept this Treaty.



In the third year of Tung-chih' 1864 the boundary question of Hsin-chiang was settled. Now Russia again desires to infringe on our territory and even to sever our route to the city Ili. In natural resources, the northern part of Hsin-chiang is poor, while the southern part is rich. It would be clearly unwise to abandon the rich portion and to struggle for the poor, to attempt to gain an empty honor at the cost of a certain loss. This is the eighth reason why this Treaty should not be ratified.

The establishment of consulates in Ili, Ta-erh-pu, Pa-ho-tai, Ko-pu-to, Wu-li-ya-su-tai, Kashgar, Wu-lu-mu-chi, Ku-cheng, Hami and Chia-yü-kuan would mean that the whole of the western region would be opened to Russian control. Wherever there are foreign soldiers there are foreign merchants and wherever there are foreign merchants there are foreign soldiers. At first they infringe on our sovereignty; afterwards, the positions of the guest and the host are exchanged. The worst penalty that we would have to suffer would be the establishment of Russian officials and soldiers where we would have none. Moreover, according to the treaties with other nations, consulates are permitted to be established only on the sea-coast. Places such as Wu-li-ya-su-tai, Ko-pu-to, Wu-lu-mu-chi, Ku-cheng, Hami and Chia-yü-kuan are situated right in the interior of our country. If now the Russians should secure such an ill-omened entry into our land and the other nations claim the same privileges, then the interior of the eighteen provinces would be dotted with the posts of foreign officials. How would we cope with them? This forms the ninth reason why this Treaty should not be ratified.

Nominally, Russia would return Ili to us. In fact, however, the mountainous regions outside of the frontier posts in the three provinces would remain occupied by the Russians as before. Here, they would be situated on the high mountains commanding the plains below: all capacity for military defense would be lost. If the area west from the Huo-erh-kuo-ssu River and north of the Ko-erh-hai-tao were ceded to Russia, then there would be no room for colonization and no land for pasturage. All geographical and strategical advantage would be abandoned. Again, Chin-ting-ssu is a Russian market. Now the Treaty provides that all Russian properties would remain Russian. Then, the only route to the east from Ili would be through the Russian domain; for there would not be territorial continuity between the two areas. The population of the Ili country, now very scant, would all move away; none of our people

would remain. Of what benefit to us, then, would be the payment of 2,800,000 taels for the return of the Ili country, deprived of its military and geographical advantages and without people? These reasons sum up the tenth argument against the ratification of this Treaty.

The Russian impositions are in truth most covetous and not to be endured. Chung-hou, in attaching his signature to this Treaty, was guilty not only of gross mis-conduct, but also of signal stupidity. The great anger of Your Majesty, the Empress Dowager, and Your Majesty, the Emperor, is no cause for wonder. There was wisdom and righteousness in judging that the affair should be referred to court deliberation. From the princes and ministers, the high officials of the Central Government, to the various lesser officials, everybody realized the insufferable character of this Treaty. Nevertheless, nobody dares to suggest the revision of the Treaty, for fear that such counsel will only stir up more trouble. In my opinion, there is no need for timidity in the matter. If we insist on the revision of the Treaty, it is true that some difficulties will arise. But, if the Treaty remains unchanged, China will no longer be a nation. Permit me to outline the requirements of a revised treaty. These are four in number, to be considered successively: (1) a decision on the first step to be taken, (2) the development of a strong favorable public opinion, (3) the determination of the most politic course, and (4) the plan of procedure.

What is the first step to be decided upon? Although our envoy signed the Treaty, the Imperial Court has not. Chung-hou signed the Treaty without authorization, and he returned home without permission. Public opinion demands that Chung-hou, for such conduct, so dishonorable to the nation, so flattering to the enemy, be condemned to capital punishment. I humbly pray that he will be given over to the Board of Punishments for a condign execution. As soon as we punish the envoy, Russia will lose all ground for controversy. According to international law, envoys have no right to exceed their delegated authority. Although the envoy did possess certain restricted powers, all final decisions resided with the Government. This principle applied to Chung-hou, who neither acted in accord with his confidential instructions nor waited for the final Imperial Order. The former case of Chi-ying is here applicable. Therefore, the first step to be taken is to decree the death penalty for Chung-hou.

Now let us consider how to develop a strong public opinion. Russia took advantage of the weakness of our envoy by securing under duress his signature to the Treaty. Still Russia is not content with a bargain in which all the

profits have been hers, and all the losses our own. Russia, a great power, exhibited unexpectedly mean conduct in this transaction. China will not alone feel bitter resentment at such treatment. All the world will be indignant also. It is unprecedented behavior, even among foreign nations, for the Russian Minister to assert that he is going to leave for his own country without awaiting the final ratification of the Treaty. Besides, Koyander is only the chargé-d'affaires. How could he return to his home country? It is clear that his threat is only a feint. We had best ignore him. It would be appropriate to make known to all the nations and their newspapers the injustice of Russia's actions and the reasons for the hostility of Chinese public opinion. At the same time, the frontier officials should be ordered to place themselves in a state of preparedness. Let us be in harmony with public opinion in a determination to reject this Treaty.

Though Russia is a great power, she has, since the terrible war with Turkey, been militarily weakened and financially impoverished. Her officials are deserting, and her people are restless. Recently, I heard that the Russian Emperor is specially guarded against assassination. If, under such circumstances, the Russian Government still attempts to weary its subjects by violating the peace in making war on a far-distant frontier, it will surely suffer a revolution. A war for Russia would be suicidal. How then, can Russia injure any other nation?

From the above evidence, it may be concluded that if the whole problem is revealed to the world, a favorable public opinion will be created.

What is the most politic course to pursue? All demands develop from the question of Ili. According to the terms of the new treaty, we should receive but the hollow name of Ili. Our actual loss would be twenty thousand li of Hsin-chiang. Moreover, we need 5,000,000 taels to maintain the military forces there, to build cities and to found colonies. The possession of Hsin-chiang would be a greater burden than its loss. If we insist on the return of Ili, and refuse all concessions to the Russian demands, then the fault will be our own. If we permit Ili to remain temporarily under Russian control, and Russia still continues to reproach us, then that nation will be in the wrong. In any case, the signature of our envoy to the Treaty without the Imperial consent deprives that document of any validity. If Russia's position is unjust, then there is no basis for further argument. How, for that matter, can she create further trouble? Hence,

the postponement of the return of Ili to our sovereignty would be following the most politic course of action.

What should be the plan of procedure? If Russia is sincere and respectful, there can be no war. If Russia believes she must violate international law and repudiate peaceful methods, there are three strategical areas to defend: Hain-chiang, Kirin and Tientsin. Tso Tsung-t'ang with his ever-victorious army is well-known. All the generals, like Chin-shun, Liu Chin-tang, Hsi-lun, and Chang Yueh, are good military leaders. For the Russians to advance against our forces stationed in a defensive position would mean a certain defeat for the enemy in Hsin-chiang. If their retreat were cut off, there would be no army to return. If the Russians should try to advance through the mountainous and wooded regions along the frontiers of Kirin which are more than twenty-thousand li from European Russia, they would soon find that the transportation of supplies for a large military force so far distant from home was too difficult to continue. Able generals should be given special authority. We can divert a portion of the expenses for the Nan-yang and Pei-yang navies to the maintenance of the welfare of the Three Eastern Provinces. Tso Tsung-t'ang and Chin-shun should be ordered to select capable leaders from the natives of Manchuria and to form armies from the hunting peoples of So-lun and Hutsin. These men are very brave and are accustomed to fighting with the Russians. Thus, our chances for victory would be assured. Even though we might suffer a few minor defeats, if we tenaciously held our position for a few months, the Russians would be unable to retain their offensive and would be compelled to withdraw.

Tientsin is situated too near the Imperial Capital. But under the treaties with England and France, Russian battleships can not pass through the Mediterranean. In any case, if the Russians should attempt to despatch their troops on merchant vessels instead of ironclads, these transports would not be found adequate for this purpose. Furthermore, Li Hung-chang has made himself both meritorious and prominent for his devotion of millions a year to the manufacture of arms and the training of the Huan army. What is their purpose? Do they not exist for just such an emergency as this? If they are not prepared for the demands of war, or what use is an official of such prominence? I, therefore, humbly beseech Your Majesties to convey strict orders to Li Hung-chang that the plan of action is fully developed and that the responsibility now lies with him. Consequently, he must be fully prepared with selected officers, a trained military force, and must

construct modern forts after the French model. Should he be victorious, he will be rewarded with honors. Should he fail, he will be severely punished. If possible, the sum of 2,800,000 taels, the redemption price of Ili, should be spent for the employment of the services of western mercenary soldiers.

Russia's gradual encroachment in Hsin-chiang and her annexation of Khohand are directed toward India. Russia's aggrandizement is an injury to England as well as ourselves. If Li Hung-chang clearly understands this point and makes it clear to the British Minister, China and England, having common interests to defend, may cooperate to oppose the foe.

Those well-known generals, Peng Yu-lin, Yang Yueh-pin, Pao Chao, Liu Ming-chuang, Shan-ching, Tseng Yu-ying, Kuo Sung-lin, Hsi-chang, Peng Chu-han, Kuo Pao-chang, Tsao Ko-chung, Li Yun-lin, Chen Kuo-jui, some of whom have resigned and others of whom still retain offices, should be ordered to the Capital for a conference, and the drawing-up of a general plan of procedure. They should then be stationed in Peking, Tung-chow, Tientsin and the Three Eastern Provinces. "While there are wild tigers in the mountains, one should be prepared against their depredations before they occur." Consequently, the plan of procedure is to advance preparations against military attack.

I dare not speak incautiously with regard to a great national problem by advising a venture into the unknown. But I have been observing the changing complexion of the situation; it is turning darker day by day. The western nations strive to impair our sovereignty, and the eastern nations attempt to encroach upon our boundaries. Now Russia is exerting herself to create a discord with our nation. If we yield again, all the nations will follow her example and trespass yet further upon our authority. The day will then come when we shall have been oppressed to such a state that we can yield no more. What now is to be done? We should cast aside the idea that we should have any easy victory over Russia. We must accept uncertainty in military affairs. It is my opinion that the Russians in any case would not be able to cross the Chia-yü-kuan nor be able to capture Ning-ku-ta. Consequently, if even the worst of misadventures should fall upon us, they would not directly affect the whole nation. Furthermore, the strength of the Russian troops would be rendered ineffective by the difficulty of advancing food supplies for their maintenance. What anxiety, then, need arise in our hearts? Hence, China's move to-day will direct the course of future events for her.

Let us bear in mind that China is at the present time well provided with many capable ministers. We are surely

adequately prepared for the hazards of war. If we delay a few more years, Tso Tsung-t'ang will be worn out from fatigue, and Li Hung-chang will be showing the weaknesses of old age. Then, even if we should desire to fight, we would find ourselves incapacitated for war. Russia will have built cities in the east and founded colonies in the west right across Mongolia to Korea. If we do not now defend our nation on its farther confines, the day will come when we will be compelled to fight inside our own hall. Remorse will be too late. In short, military preparations are essential, whether the Treaty is or is not revised. Chung-hou should be justly punished, whether or not the Treaty is altered.

The above analysis is not merely the expression of my own reflections. It is the view held in common by all the officials and the public opinion of the world. Although the deliberated plan of action lies with the high officials in charge of the frontiers, the creation of a strong public opinion is the responsibility of the court officials, and the diplomatic negotiations are the province of the Tsung-li Yamên. The decision, the advocacy of it, and its maintenance are the prerogatives of Your Majesty, our Empress Dowager, and Your Majesty, Our Emperor.

APPENDIX B

Memorial Submitted to the Imperial  
Throne by Kuo Sung-t'ao,  
May 14, 1880

The character of the Treaty of eighteen articles made with Russia by Ch'ung-hou is no doubt the result of an ignorance of geographical and military strategy as well as of methods of international negotiations. The Treaty has many errors which appear now too late for correction. However, according to diplomatic procedure in the West, the final ratification of a treaty lies with the governments of the involved nations. The treaty determined upon and signed by the envoy is not final. Hence, acceptance or rejection of this Treaty still rests with the Imperial Court. Ministers stationed in foreign countries are but agencies for negotiations. In the present case, the Tsung-li Yamen can still instruct the minister to Russia to notify the Russian Foreign Office that the ratification of this Treaty of Ili will be postponed. The Russian forces stationed at Ili may remain there awaiting further negotiations. Although the Russians are bold, they will not be so rash as to violate international law. Only in this way shall we be able to check Russia's designs, and allow ourselves a little time for delay. And now, I wish to present to Your Majesty an analysis of the entire affair.

In the first place, the return of Ili is the concern of the Viceroy of Kansu. Under the reign of Chien-lung, the Mohammedan and Tsungarian tribes were conquered. Cities were built, and military forces were stationed in that region. Boundaries between these tribes were set up, and along the outer frontier, military posts were erected. Thus a condition of peace lasted for more than a century. Then the Kazak and Buriat tribes declined and their territories were absorbed by Russia. Russia also annexed Khokand, and so her boundary came in touch with the Western Region. Since the Mohammedan Rebellion in Hsin-chiang, the military posts have been gradually destroyed over a period of more than twenty years. They are now almost completely wiped out. Even though Russia returns to us the city of Ili, the re-settlement of that border region will still remain a great task. Tso Tsung t'ang, the Viceroy of Kansu, has devoted himself for more than ten years to the study of the geography and the management of the affairs of the

Western Region. He surely understands its strategical value. It would be much better that he be authorized to attend to this affair than for it to be entrusted to someone from a remote province who would have to handle the negotiations without any practical knowledge. This is the reason why I advocate that the negotiations for the return of Ili be placed in the hands of the Viceroy of Kansu.

Secondly, the Ili negotiations should take place at Ili. Russia's occupation of Ili was made under the pretext of protecting her boundaries and her merchants. Russia made it understood that she would return Ili as soon as conditions there were settled. Consequently, there should be no question whatsoever regarding its surrender to our sovereignty. The only question is that Russia may demand too great a price for its redemption. This factor we can not estimate except on the basis of actual conditions in Ili. Tso Tsung-t'ang displayed high military excellence in the re-conquest of the Western Region. Certainly, he would not like to bear the opprobrium of having secured Ili at a redemption price. However, other high officials can be sent to Ili. Envoys should be sent to Russia only after a settlement has been drafted at Ili. For this mission, their route should be through Su-chow and Ili in order that they may be able to consult with Tso Tsung-t'ang. When I was in London, Japan sent En-wo-ma-ti to Russia to settle the question of the Island of Sakhalin. The Japanese envoy took the route from Sakhalin along the Amur River, through Ili, and around the Ural Mountains to Russia. By personal observation, he succeeded in acquiring a knowledge of that nation's geography and military strength. The Russian general, Kaufmann, was stationed at Ili, and was also the Governor of Khokand. When Russia negotiated the Treaty with Ch'ung-hou, General Kaufmann was ordered back from Ili to take part in the conference. The Ili affair is much more important for China than for Russia, yet the latter was exceedingly careful in handling the negotiations. This is the reason why I advise that the Ili transaction take place in Ili itself.

Thirdly, a consideration of the whole situation reveals that the restitution of Ili should not be too hastily accomplished. Stress should be directed upon the rejection of the Treaty of Ili, while permitting the Russian forces to remain there for the time being. Examination of the north and south side of the T'ien-shan discloses the presence of rich soils in its river valleys. The rivers are also useful for irrigation and transportation. The Russians have Siberia in which there are hundreds of



thousands of miles of barren land. Their recent annexations of Tashkent, Khokand, and other areas reveal their schemes and plans for exploitation. The year before last, a Russian newspaper reported that Governor Ssu-che-wei-erh was exploring the Pamir Mountains and the Lang-ko-la Lake region. The account stated that he had discovered new land with a river system from Lake Ko-la-ku-la to Ak-su extending into the interior of the Russian possessions. The whole nation rejoiced at the news. For a long time, Russia has looked with covetous eyes upon the Western Region. Ili is very rich. South of the Ili River, there is a place, by the name of Ha-erh-hai-tu, which produces copper. Another place, by the name of Sa-la-po-ho-chi, produces lead, and the mountain on the north, Kung-o-erh-o-po, produces coal. Pi-li-ching produces gold and So-kuo iron. Formerly, a copper and a lead smeltery were established south of the Ili River near the Tekess River, but their management has not been properly conducted. North of the mountain, iron and coal smelteries have been set up, although actual mining operations have not yet been begun. Every Westerner regards this region as extremely promising. All the nine cities along the Ili River were established as military posts. The wealthy region is south of the Ili River and north of the T'ien-shan range. Not more than one hundred li west of the city of Ili and west of the Huo-erh-kuo-ssu River there is another city. All the military posts, like O-erh-chi-chi-hau and others of similar character, are about five hundred li to the west of Ili. Now, if we draw a boundary line giving the Huo-erh-kuo-ssu River area to Russia, then three-fourths of the Ili River would be lost and the military posts would be abandoned. And in ceding the Tekes River region to Russia all the copper and lead smelting plants would become part of that nation's domain. Moreover, the Tekes River valley on the north side of the T'ien-shan serves as a route of communication via the pass on the T'ien-shan to the towns of Ku-cha and Pai-cheng. By the cession of the Tekes River, the military posts at the river's source would be lost with a consequent obstruction of communications. Tarbagatai is located about one thousand li to the northeast of Ili. I have heard that this town also is going to be ceded to Russia. Then of what value would be one distant, isolated city with all its attendant rich lands severed from our sovereignty? Ili would be returned to us in name, but stripped of all its worth.

Foreign affairs are much more difficult to carry on now than they were formerly. According to international law, terms definitely rejected by a nation can hardly be used as a basis for further negotiations. The relinquishment

or restoration of Ili is equally at an impasse. The only procedure is to permit the Russians to remain in Ili. Such an action on our part may deter the Russians from further aggressions. And we shall have time to plan for the future. We allow both ourselves and our opponents ample opportunity for consideration. The above arguments form my reasons for placing stress upon the rejection of the Treaty and for offering no interference with the present Russian occupation of Ili.

Fourthly, ministers to England and France should not be sent to Russia. Alliances between the Western nations are all based upon an evolution of their present necessities, and upon their historical relations as friends or enemies. For centuries, they have been fighting and trying to conquer each other. The situations of to-day, it seems, indicate that England and France are closely associated, while Russia and Germany are on friendly terms. Between Germany and France deep hatred exists. And between England and Russia there has been resentment for generations. The interests of these nations serve to direct their relations. I have always believed that, as we have one minister for England and France, we may as well have one minister for Russia and Germany. A minister stationed in a foreign country not only obtains for us the name of a friendly people but he also bears the responsibility of upholding our national rights as well as the authority for conducting our affairs with that nation.

The conference should take place at Ili. But the difficult aspects and delicate circumstances of the affair should be made clear to the Russian Court by our minister in order that the negotiations be fair and the responsibilities equally shared. This injunction is reasonable and not in conflict with international practice. If we send another envoy to revise the Treaty, such procedure will only serve as a new basis for further oppressive demands. The Russian newspapers are already dropping remarks that the present Chinese attitude toward the Ili Treaty is under English influence. From this fact we can understand the nature of the feeling subsisting between England and Russia. This is my reason for counseling against sending our minister to England and France to Russia.

Fifthly, we have no precedent in law for determining upon a just punishment for Ch'ung-hou. Hence, we had best consult international law on this problem. Ch'ung-hou has dishonored the nation; punishment is only just. From this viewpoint, there is no basis for pardon. However, we need not seek far for the reasons for his blunders. In the first place, the envoy was ignorant of geography. For instance, facts like the proximity of the Huo-erh-kuo-ssu

and Ili Rivers, or the division of that region into northern and southern districts by the Tekes River are clearly described in works on geography. As Ch'ung-hou had never read them, it is easy to understand how the Russians deceived him. He did not understand the relative importance of the various problems presented, but concentrated upon only one point: the recovery of Ili. Therefore, he looked on all other demands with indifference except when they might interfere with the return of Ili. He was so overawed by Russia's display of power that he lost confidence in himself. When I was made minister to the foreign nations England and France, I asked Ch'ung-hou, who had been minister at Paris, about conditions in the Western nations. He told me only about their battleships, cannon, and the strength of their armies. He thought they were to be dreaded. He had been accounted an authority on foreign affairs. Yet he knew only that the foreign countries were to be feared, without understanding why they were powerful. Ch'ung-hou learned very little from all his political experience. His sole purpose was to bring the Ili affair to a conclusion and to forget what injury it might leave for the future. When I met Ch'ung-hou in Paris, I asked him what would be his policy concerning this affair with Russia. He simply answered that Ili was an important region and should be recovered. I could not help but wonder at the light way in which he took the whole question. It could be easily perceived that he stressed only the recovery of Ili, but he gave little attention to the national welfare and the international situation. I always believe that in conducting diplomatic affairs, it is essential to choose one who thoroughly understands both national and world situations in order to be prepared for the unexpected. At this moment, everybody can point out Ch'ung-hou's errors, but at the time of the making of the Treaty, neither Ch'ung-hou nor his staff was aware of any blunders committed. Being remote from, and entirely ignorant of, the whole problem, the only thing he could do was to listen to the Russian threats and say "Yes". Now, the Imperial Court has rejected the Treaty and is punishing the Envoy. It will likely sever relations with Russia. This action may serve Russia as an opportunity for stirring up more trouble. Ch'ung-hou as a man is honest. Perhaps, it would be better not to inflict upon him the extreme punishment but to commute it to a heavy fine. Then Russia will have no voice for resentment. Likewise, the diverting of world public opinion to the side of Russia will be avoided. Such are my reasons for advising that some reference to international law be made in the question of a fitting punishment for Ch'ung-hou.

Sixthly, the Court officials' advocacy of war is only the expression of a one-sided view. We must consider not only pure reason, but also practical circumstances if we are to gain some liberty of action for ourselves and not be forced to resort to war. Our unfortunate relations with the Western nations have led us into three wars: in Canton, as a result of the opium affair, in Ning-po, and in Tientsin, because of the exchange of treaties. Each was caused by the inefficient management of local authorities which became so flagrant that affairs took their own course. At that time the relative military strength of China and the foreign powers was quite evidently disproportionate. Without any discernment whatsoever, the Court officials, aroused by the indignation of the moment, favored war. Nowadays, when we have foreign ministers and commercial relations, we shall be very favorably situated if we but choose a wise course of action. Furthermore, Russia's greed for territorial gain is quite different from the English and French interest in trade at that time. If actual conflict should arise, there would follow unimaginable disaster. Our Government has been coping with civil wars for thirty years; the people have been led into poverty, and the central authority has fallen into decline. These times are more unhappy than those of Tao-kuang and Hsien-feng. Russia, by gradual encroachment, annexed the Mohammedan tribes. Her widely expanded territory extends along China's frontier for more than ten thousand li of land and water. It is a frontier far too long for us to defend. Even if the Russians would threaten us with war, we should try to avoid its disastrous consequences by resorting to diplomatic negotiations. Why, then, should we start a war simply for the city of Ili? The final decision regarding all treaties still lies with the Imperial Court. Though the Russians are menacing us with a show of force, we should yet maintain a dignified attitude in our parleys with them. Why should we hazard a conflict that would surely involve us in further misfortunes merely to relieve the Court officials' momentary wrath? Therefore, I repeat that the Court officials' recommendation of war is but an expression of a distorted viewpoint of the true situation.

In my humble opinion, our national policy should have as its key purpose the maintenance of peace, rather than the provocation of war with all its calamities. When provocation to fatal action has advanced too far, it is impossible to change its direction. Some people are overwhelmed by the passions of the day, while others, swayed by the prejudices of the majority, have not the courage to resist their weight. Although I am not wise, I am certain

that this is not the right spirit in which to face the crisis that now confronts us. Therefore, I implore Your Majesty to order the Minister to Russia to notify the Russian Foreign Office that the city of Ili holds the key position to both the northern and southern T'ien-shan regions, and that it is essential to have it returned to her intact. Furthermore, as it is impossible for the Chinese Government to ratify the present Treaty made by Ch'ung-hou, the Russian forces for the present need not be withdrawn from Ili.

Commercial activity has begun anew in Kashgar. Tso Tsung-t'ang should conclude with the Russian military authorities a settlement of the future of this trade. This procedure is likely to be the safest and wisest. It certainly is not wise to advise a war which would break the peace between the two nations. The Viceroy of Kansu should be instructed to be sincere and just, and thereby obtain, with a clear understanding of the situation, a fair solution of the problem. On this possibility, we may rest a scant hope to secure our true rights. Perhaps we shall be guided to a better understanding of how in the future to deal with Russia. A question of national importance confronts us; its dangers should not be deprecated.

I, Your Majesty's humble official, am dull of understanding and, while I held office as a foreign minister to France and England, did not achieve any merit. Under unfavorable public criticism, I have felt as though I no longer had a place in this world. Lately my energy has become gradually exhausted and my physical condition weakened. I have not left my home for more than a year. I had thought that with death now coming near there was no hope for me to do more in the service of the nation. Nevertheless, whenever I contemplated the serious situation that had arisen out of Ch'ung-hou's stupidity and mistakes, I considered again the knowledge, little as it is, that I possess of foreign affairs. And, though I perceive clearly that public opinion will not approve my point of view, I believe that by adducing instances from past history, by studying the national welfare, and by making reference to the practices of other nations, the present crisis should be resolved as early as possible in order that further complications be escaped. With delay, this problem will only grow in difficulty. I dare not avoid opposition by remaining silent. With these considerations in mind, I tender for your estimation this work, which, although it possesses little wisdom, is sincere in its purpose.

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APPENDIX CMemorial Submitted to the Imperial  
Throne by Ts'êng Chi-tsé, July 22,  
1880

The Ili Affair presents three essential problems: boundaries, trade, and redemption. There are also three different ways of dealing with these problems: war, abandonment, and peace. Those who favor war argue on the basis that generals like Tso Tsung-t'ang, Chin-shun and Liu Chin-tang already have strong forces in the frontier regions. Their recent victories have raised their morale to such a pitch that the seizure of Ili by force would not be difficult. However, I believe that the strategic position of Ili is more favorable for defense than attack. Russia with her modern military equipment can not in any manner be compared with the Mohammedan rebels of the western country. For even a large military force to attack a strong neighbor situated in a strategical position is simply a gamble with fate. The assertion that we possess the key to victory is an obvious over-statement of our advantages. Furthermore, Ili belonged originally to China. If we should go to war with Russia to gain back our original possession, no harm would fall to Russia. We alone would suffer, for, after the opening of hostilities, misfortune would follow misfortune. Even if, by good luck, we should recover Ili, such a victory would be only the first of a series of events that could lead to no happy outcome. Russia, relying on her cunning and strength, has been competing with the Western nations. Her naval power now extends to the Far East. Though she has stirred up trouble in Ili, the real center of her attention is in the east, not in the west, and on the ocean, not on land. Besides, we have just put down internal rebellions, and the nation has not recovered from its exhaustion. Our Navy has but recently been created and is far from being well equipped. Now, perhaps a war could be turned to a successful conclusion, but, to my way of thinking, we have not the slightest guarantee of victory in open conflict. In addition, the Three Eastern Provinces, as the home of our dynasty, are of primary importance. The northern frontier, which everywhere borders on Russia, would in case of war be too remote and too difficult to defend.

Some argue that Russia is internally unstable and that her government is not in a position to make war, but

I think that the cause of Russia's internal troubles is poverty and that, as a consequence, her people are subject to unrest. The Tsar and his ministers would be only too glad to have a war on the frontier in order that the dissatisfaction within Russia's confines might be drawn to her borders. Such are her adroit tactics for keeping down rebellions by waging war. It is a method familiar to the Western nations. Therefore, all those who have boundaries in common with Russia must watch her with care and be ever suspicious of her. This policy is the explanation of the fact that there has never been a nation which has regarded Russia's internal misfortunes as favorable to herself.

There are still others who argue that we can ally ourselves with certain of the European nations in opposition to Russia. They advocate the adoption of the old methods of persuasion, employed in the Chan-kuo period, but not only does the international situation differ too much from that period, but also the rulers and monarchies are in no way similar to those of that age. Though the Western nations are not all republics, still, they all possess some sort of representative body to determine on important military affairs, and all such questions must be agreed upon by the majority. If the envoy whom we send have the eloquence of Su and Chang, the intelligence of Sui and Lu, it would be impossible for him to persuade all the parliaments. Even if our envoy should arouse the foreign nations into indignation against Russia, and so move them to favorable action by advantages that they decide to give us aid, is it then conceivable that they will not exact from us compensation? Some time ago, during the Russo-Turkish War, England helped Turkey. At the Congress of Berlin, England loudly proclaimed the righteousness of her position, but in truth she who had begun with self-abnegation ended with gain. Before the Russian forces withdrew, the Island of Cyprus was added to the British Empire. Moreover, although these foreign nations disagree and quarrel with one another, whenever they deal with China, they always take a common front. Why is this so? The most favored nation clause guarantees equal treatment to all; hence, whenever they deal with China, they always take a common front. Why is this so? The most favored nation clause guarantees equal treatment to all; hence, whenever one nation secures an advantage, then the others stand around waiting and watching. On such a basis, who would venture to violate international law by aiding us with force? Therefore, it is not possible for us to speak of waging war at present.

Those who argue for abandonment state that Ili is but a corner of the borderland. For us to pay out a large sum of money for its redemption as well as to confer great commercial advantages upon Russia, would result only in the weakening of the heart of our country. Consequently, it would be better to abandon Ili. In my humble opinion, since the establishment of our dynasty, special attention has been paid to the Western Region. During the reigns of Kang-hsi and Yung-cheng, by transporting supplies, stationing forces, now conquering, now defending; our Sheng-tsu and Shih-tsung subjugated that region,--this in spite of uneasiness on the frontier and weariness in the interior. It was well understood that with an unsettled western frontier the nation could enjoy no enduring peace. In the twenty-second year of Chien-lung, Ili was conquered and from that time the Western Region was tranquil and the nation's interior secure. Therefore, Ili is truly a strategic area for China, not only the gateway of the Western Region. The English and French used to say that Ili was China's fortress guarding the safety of Hsin-Chiang. We have verified the truth of this statement. If to-day we abandon Ili, what will become of Hsin-chiang, and what is more, what fate will befall the whole nation?

Still others in this group argue that China can follow a lax policy of waiting for the future to guide us. If this is to be the case, what then will Tso Tsung-t'ang and the other military leaders do? Are they to be ordered home, or to be permitted to remain on the frontier? If they are ordered to return, then the frontier, as yet not determined, will not be secure. If any difficulty should arise, there would be no force there to meet it, and there would not be sufficient time to summon any in time of need. If the troops are to be allowed to remain on the frontier, the enormous expense and the transportation of large quantities of supplies can not long be maintained. This might be necessary if these huge expenditures were being turned to a useful purpose, but over a period of time, the situation on the frontier will be modified; the leadership and soldiers will be changed and the whole nation's wealth will then have been spent in vain. In addition, the development of the navy will have been hampered. Then our mistakes will have carried us so far that we shall have for ourselves only futile regrets. For this reason, all the court and frontier officials should keep in mind the welfare of the nation as a whole and should not neglect the problem as one that may be put off into the indefinite future.

Your Majesties, the Empress Dowager and the Emperor, feeling deep compassion for the nation's weariness and desirous of relieving the people of their exhaustion, have



commissioned me, your humble minister, to prolong a peace unbroken for two hundred years. What I, your humble minister, wish to-day to lay before you is nothing outside of these three essential points: namely, boundary, trade, and redemption. Of these three items, redemption is the least important, and between boundary and trade, the latter is much the less vital.

An investigation of Western treaties yields two types: one of a permanent character and a second of a form that is susceptible to amendment after the lapse of certain fixed periods of time. The determination of the boundary belongs to the first type. Any given boundary is more advantageous to one nation than to the other. This is necessarily true. Therefore, the problem is difficult of solution and should be dealt with carefully when the treaty is being drafted. Trade belongs to the second type. The merits or demerits of any series of trade regulations can hardly be seen beforehand. Sometimes, they are detected immediately; other times, they are revealed only after a lapse of years. The regulations may be advantageous to both parties, advantageous to one only and the reverse to the other, and occasionally they prove detrimental to both. Hence, when a commercial treaty is concluded, it is made effective only for a stipulated period and is then subject to changes and amendments. Thus, advantages may be continued, and disadvantages eliminated. Since the time when China entered into treaty relations with the West, she has had to submit whenever the termination date of any given treaty arises, to a visit from the minister of the nation concerned who always bears with him new impositions and threats of coercion. It would appear that these periodical treaty renewals were occasions designed to be beneficial to the Western nations and quite the reverse for China. Why should we not demand from them what they require from us? If we can thoroughly understand conditions of trade in the light of international law, then such treaty renewals will afford us equal opportunities in the removal of any commercial liabilities. Then treaties may be so drafted that they will operate to our own profit and not wholly to the foreigners' advantage.

The Treaty which Ch'ung-hou signed with Russia is clearly unfavorable to China. However, if we should determine upon the complete alteration of a treaty with even the weakest and smallest of nations, we should find ourselves balked in the attempt. What, then, could we expect of Russia, who even in ordinary times is cunning and unfathomable? Let us assume ourselves in Russia's position as having but recently made a treaty with another nation. If that nation then suddenly declared that the treaty must

be changed without suggesting any possible alterations, surely then we would refuse to consider such a proposal. In my humble opinion, since the boundary determined upon will be permanent, we must on this point stubbornly uphold our rights. We must endeavor to eliminate the most absurd provisions of the Treaty's items on trade. The remainder of these may well be left as they stand. With reference to this consideration, Li Hung-chang's personnel principle will be of some aid. If some of the terms appear too unfavorable, they may be changed at the time of the Treaty's renewal. We should try to accommodate ourselves to a temporary unfairness in order to avoid a severance of peaceful relations. Our attitude should be self-possessed and deliberate; for this is no problem that can be settled in a day or a night.

The acceptable and the unacceptable points in the Russian Treaty should be clearly submitted by the Court officials. I have realized that in presenting a Memorial so compromising in tone before reaching the Russian capital, public opinion will surely blame me for cowardice. After thinking the matter over, I have come to the conclusion that my duty will be simply to forward the opinions of the two countries, to debate and negotiate in accord with my instructions, and to uphold my nation's cause. But the result is beyond my responsibility. Hence, my duty is really much lighter than that of the Court officials. Nevertheless, I have felt that as our family has been showered with special favors and high offices for generations, even I, who am an entire stranger to this affair, ought to submit for Your Imperial judgment what little and modest knowledge I may possess. Now, as the office of minister to Russia has fallen on me, how can I be silent like the majority and bear to see Your Majesties' perplexity, merely to avoid ill criticism? The reason for my great concern lies in the fear that the Court officials will insist upon the rejection of all the Treaty's items save redemption. This insistence is reasonable and clear, but it simply means the assertion of the eternal principles of right and wrong to the disregard of exceptional circumstances. Their reliance is upon reason to the neglect of the demands of the immediate situation. And Russia's refusal to look upon the problem in this light is an attitude that is not reserved to the understanding of only the most intelligent.

The stand of the Court officials would cause this affair to end in one of three ways. The first of these is war, which would be the outcome of Russia's refusal to accept our rejection of the Treaty. This is the plan of the advocates of war. For this eventuality, the Imperial Court certainly has in its possession the plans for victory.

This is not a question for a minister to a foreign country to discuss. The second position is held by those who maintain that as Russia will not accept our non-ratification of the Treaty, we should abandon Ili. This is no half-way compromise; it is nothing short of a surrender of the whole region. To this position, I dare not agree. There remains the third method advised by those who desire peace. According to this plan, we should compromise upon one point after another and thereby maintain peace. Such dealings would be like the bargaining of the market place. I fear that the third plan, regarded in this sense, would not be in accord with our Imperial Dynasty's policy of treating with the foreign nations on a basis of honesty and justice. Russia has been known to engage in trickery. If we first refuse to accept every article of the present Treaty, and then are compelled to compromise, such an end will only provide Russia with greater opportunity for deception, as well as serve as a suggestion to all the other Western nations. I doubt that this procedure would be of any benefit in the Ili negotiations. On the contrary, it would harass our foreign relations in the future. These are my reasons for advising that we hold firm on the boundary question, while we may yield on the terms of trade.

In conclusion, I wish to say that either acceptance or rejection of the Treaty should be determined upon, and oppressive concessions should for the future be avoided. All the above considerations are no more than my humble opinion. The problem is too difficult for the judgment of one man. Please refer the subject for further deliberation to the Tsung-li Yamén, the princes and ministers, the six Boards, the nine chief ministers, and all the officials who have taken part in the discussion.

I shall soon be in the Russian capital. When I arrive there, I shall speak as follows: China and Russia have been on good terms for many years. My presence has no necessary bearing upon the Ili Affair, for envoys are sent as ambassadors of national friendship. In the present case, the unquestioned duty of a minister is but to forward the opinion of both governments. The negotiations can be taken up as soon as I receive instructions from my Government. If I present the matter in this way, I shall not likely be refused a hearing on my arrival. My arguments on the Treaty's terms shall be based on my government's instructions. By that time, the Court officials will have completed their deliberations, Your Majesties will have passed upon them, and they will have been forwarded to me.

A grave national problem should not be disposed of hastily. There is no danger of giving it too much careful attention. I shall not open negotiations until the final

decisions of the Tsung-li Yamên have been dispatched to me. If my conviction that a strong position should be maintained on the boundary question and a partial compromise be granted on the trade terms will be heeded, then the Court officials will no doubt make a deeper investigation of the affair. If my arguments will be proved of no value and it is decided that the trade items of the Treaty must be rejected in full, I will still bend all my efforts to negotiate in pursuance of the Tsung-li Yamên's instructions.

I, your humble minister, am not a man of great discernment, yet I will exert myself to the utmost in this time of trouble and will always act in accord with the Imperial commands to gain whatever is possible for the welfare of the nation.

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APPENDIX D

THE TREATY OF LIVADIA, 1879.

Translated from the Chinese text in  
Ching Chi Wai Chiao Shih Liao (Documents on  
Foreign Relations of the Last Two Reigns of  
the Manchu Dynasty 1875-1911), Vol. XIX, pp.  
23-48.

by

Lienche Tu

March 23, 1933.

## APPENDIX D

## TREATY OF LIVADIA.

## ARTICLE I

His Majesty the Emperor of Russia consents to the re-establishment of the Chinese Government in Ili, which has been temporarily occupied by the Russian forces, since 1871, that is The Chinese 10th year of Tung-chih.

Russia remains in possession of the western part of Ili and the Tekes region as indicated by Article VII of the present treaty.

## ARTICLE II

His Majesty the Emperor of China consents to free the inhabitants of Ili, of whatever race or religion they may be, from all liability, whether it concerns their persons or their property, for acts committed during or after the disorders which have taken place in that country.

A proclamation in conformity with this will be addressed by the Chinese authorities, in the name of His Majesty the Emperor of China, to the people of Ili, before that country is turned over to the said authorities.

## ARTICLE III

The inhabitants of Ili will be at liberty to remain in the places where they at present reside, or to emigrate to Russia and to adopt Russian nationality. They will be called upon for a decision on the subject before Chinese authority is re-established in Ili, and a term of one year, to be reckoned from the date of the restoration of Ili to the Chinese authorities, will be granted to those who express a wish to emigrate to Russia. The Chinese authorities will place no obstacles in the way of their emigration and of the removal of their personal property. These individuals, after the adoption of Russian nationality, in the future, in case of entering China for trade or travel, shall enjoy all the privileges of Russian citizens according to all the treaties signed by the two States.

## ARTICLE IV

Russian subjects holding property in Ili will retain their rights of ownership, even after the re-establishment of the authority of the Chinese Government in that country.

## ARTICLE V

The two Governments will send to the city of Ili [Kuldja], Commissioners, who will proceed on the one part to cede and on the other to resume the administration of Ili, and to whom will be confided, in general, the execution of the stipulations of the present Treaty which relate to the re-establishment in that country of the authority of the Chinese Government.

The said Commissioners will carry out their instructions in accordance with the understanding to be arrived at. The management of this business has been intrusted by the two Governments to the Viceroy of Shensi and Kansu and the Governor-General of Turkestan.

The transfer of the administration of Ili is to be concluded within a term of two months to date from the day of the arrival at Tashkent of the official delegated by the Viceroy of Shensi and Kansu to the Governor-General of Turkestan to notify him of the ratification and promulgation of the present Treaty by His Majesty the Emperor of China.

## ARTICLE VI

The Government of His Majesty the Emperor of China consents to pay to the Government of Russia the sum of 5,000,000 metallic rubles, to meet the expense of the occupation of Ili by Russian troops since the 10th year of Tung-Chih 1871, to satisfy all pecuniary claims which have been brought forward for losses of Russian subjects whose goods have been plundered in Chinese territory, and to assist the families of Russian subjects killed in armed attacks of which they have been the victims in Chinese territory.

The above mentioned sum is to be paid within a term of one year from the date of the exchange of the ratifications of the present Treaty.

## ARTICLE VII

After the Chinese Government resumes authority in Ili, Russia shall remain in possession of the western part of Ili and the Tekes region, to serve as places for the establishment of the inhabitants of that country who adopt Russian nationality.

The boundary line between the two States, starting from the Pieh-chen-tao Mountains, will follow the course of the Khorgos River as far as the point where it falls into the River Ili, and crossing this last river, will take a southerly direction, towards the Wu-tsung-tao Mountains. Leaving the village of Kua-li-cha-tsia Koldjat on the west, it shall follow from this point the top of the A-ko-pu-erh-ta-shih Mountains and the northward flowing branch of the Tekes River. On the east, the Ha-la-kai and Pu-cha-lo Passes shall be in Russian possession. Crossing the Tekes River, the line shall continue along the A-ko-pu-erh-ta-shih Mountains to the Kok-sou Pass. From there the line shall run southward to the Ai-shih-ke-pa-shih Mountains, then turns southwestward following the Ha-lai-ke-tau, Han-tien-ko-li, Sha-lai-ya-sha, Ku-ku-erh, Te-liu-ki, Kuo-ki-shan, and Ko-la-tieh-kai Mountains of the Tien-shan range to the Souiok Pass.

The territory previously known as Khokhand is the present Russian Province of Ferghana. The boundary line between that country and Chinese Kashgar shall run from the Souiok Pass (this Pass is in Russian possession) southward following the foot of the A-lai-kuo-la and Sha-wu-yeh-erh-te Passes to the land between the Yeh-ching and Na-ko-la-cha-lo-te trading posts, then to the Chi-chi-lo-su River east of the Irkechtam trading post, and then turn southward again to the Ma-li-ta-pa-erh Mountains.

#### ARTICLE VIII

The first and second Articles in the Treaty concluded in 1864, that is, the third year of Tung-chih, concerning the boundary line of Tarbagatai have been found to be unsatisfactory. Changes are to be made and the new boundary line starting from the Kuei-tung Mountains, will follow the mountain range which divides the Ko-pa and Pu-erh-tsung Rivers, crossing the Hei-i-erh-te-shih River to the source of the Kan-tieh-erh-lai-ke River in the Sha-wa-erh Mountains.

The boundary lines mentioned in this Article and the preceding Article are marked by red lines and indicated with Russian names in the map attached to the present Treaty.

#### ARTICLE IX

The two Contracting Parties will name Commissioners for examining the frontier and erecting boundary posts upon the line fixed by Articles VII and VIII. All the points to be demarcated and set off by erected boundary posts, should be divided into a certain number of parts,



each to be undertaken by special Assistant Commissioners separately. The time and place of meeting of these Commissioners shall be settled by an understanding between the two Governments.

#### ARTICLE X

Besides the recognized Treaty right of the Russian Government to appoint Consuls at Ili, at Tarbagatai, at Kasngar, and at Urga, Russia is to have Consuls at Chia-yü-kuan, at Kobdo, at Uliassutai, at Hami, at Turfan, at Urumtsi and at Ku-cheng. In the four cities of Hami, Turfan, Urumtsi and Ku-cheng, Russia is to have two Consuls at each city.

The Russian Consul at Chia-yü-kuan will exercise consular functions in Kansu and Shensi in the interests of Russian commerce. The provisions of Articles V and VI of the Treaty concluded at Peking in 1860, that is the Chinese 10th year of Ksien-feng, relating to the concession of lands for Consular dwellings, for cemeteries, and for pasturage, will be applicable in like manner to those places where Russian Consuls are to be appointed. The local authorities will assist the Consuls in finding temporary residences until the Consular houses are built.

The Russian Consuls in Mongolia and the districts situated on the two slopes of the T'ien-shan will, for traveling purposes and for forwarding correspondence, make use of the Government postal establishments, according to the stipulations of Article XI of the Treaty of Tientsin and Article XII of the Treaty of Peking. The Chinese authorities will afford them aid and assistance for this purpose.

#### ARTICLE XI

Russian Consuls in China will communicate on business matters, according to the nature of the business, either with the local authorities of their place of residence or with the superior authorities of the district or province. The correspondence between them will be in the form of official letters with signatures and seals. As to the rules of etiquette to be observed in their interviews, the usual etiquette between officers of friendly Powers is to be applied.

All questions arising on Chinese territory with regard to commercial or other matters between the peoples of the two states will be examined and settled by common consent by the Consuls and the Chinese authorities.

In disputes concerning commercial matters the parties may settle their differences amicably by means of arbitrators chosen by both sides. If a settlement cannot be obtained by this course, the question shall be examined and settled by the authorities of the two States.

Written engagements between Russian and Chinese subjects concerning orders for goods, transportation, the renting of shops and houses and other similar transactions, must be presented for legalization by the Consulates and by the local authorities, for the purpose of making the signatures and seals. In case of the non-fulfillment of the legal procedures, the Consuls and the Chinese authorities shall consider measures to insure the execution of such obligations.

#### ARTICLE XII

Russian subjects are authorized to carry on trade free of duty in Chinese Mongolia, in those localities and aimaks where there are Chinese authorities, as well as in those where there is none.

Russian subjects may likewise carry on trade free of duty in Ili, Tarbagatai, Kashgar, Urumtai, and other cities situated on the northern and southern slopes of the T'ien-shan as far as the Great Wall.

Russian subjects may import into and export from the aforesaid regions of China, articles produced by any nation. They may effect purchases and sales either for cash or by barter; they shall be entitled to make payments in merchandise.

#### ARTICLE XIII

In the localities where the Russian Government is entitled to establish Consulates, as in Kalgan, Russian subjects may construct houses, shops, storehouses or purchase lands for these purposes or which may be granted to them by local authorities, in accordance with Art. XII in the trade regulations of the Treaty of 1851, that is, the Chinese first year of Hsien-feng.

#### ARTICLE XIV

Russian merchants in transporting their goods by land to the interior of China, may go by way of Kalgan and Chia-yu-kuan to Tientsin. They may either sell their goods in Kalgan, Chia-yu-kuan, Tung-chou, Hsi-an and Hang-chung-fu or transport their goods into the interior for sale.

Russian merchants may likewise purchase goods in the aforementioned places. They shall use the same route by way of Kalgan and Chia-yu-kuan to transport their purchased goods back to Russia.

#### ARTICLE XV

Trade carried on by land by Russian subjects in the interior and places outside of the Great Wall of China shall be governed by the Regulations annexed to the present Treaty.

The commercial stipulations of the present Treaty, as well as the Regulations which serve as its complement, may be revised after the lapse of five years, to date from the day of the exchange of the ratifications of the Treaty; but if within the course of six months before that term expires, neither of the Contracting Parties should manifest a desire to proceed to its revision, the commercial stipulations, as well as the Regulations, shall remain in force for the further term of five years.

Trade by sea carried on by Russian subjects in China shall come under the general Regulations established for foreign maritime commerce with China. The two Governments shall come to an understanding on the subject if it should become necessary to modify these Regulations.

#### ARTICLE XVI

Should the development of Russian trade by land become more prosperous and call for the enactment of a Customs Tariff applicable to goods exported from and imported into China, which will harmonize better with the necessities of that trade, the Governments of China and Russia shall come to an understanding on the subject, taking as a basis for fixing the export and import duties an ad valorem rate of five per cent.

Pending the enactment of this Tariff, the export duties levied on certain kinds of teas of inferior quality, which are at present subject to the rates established for teas of high quality, will be lowered in proportion to value. The settlement of these duties for each kind of tea shall be sought by means of an understanding between the Chinese Government and the Russian Minister Plenipotentiary at Peking, within the term of one year, from the date of the exchange of the ratifications of the present Treaty.

#### ARTICLE XVII

Differences of opinion having heretofore arisen as to the application of Article X of the Treaty concluded at Peking in 1860, that is, the Chinese 10th year of Hsien-feng, it is hereby agreed that the stipulations of the

Article concerning the settlement of claims arising out of the theft or driving of cattle across the frontier shall in future be interpreted to mean that parties found guilty of theft or of driving astray shall be condemned to pay the real value of the cattle not restored to the owners. It is understood that, in case of the insolvency of the guilty parties, the indemnity to be paid for the missing cattle shall not fall upon the local authorities.

The frontier authorities of both States shall prosecute with the full rigor of the laws of their country, parties guilty of driving astray or stealing cattle, and shall take such measures as may lie in their power to restore to the rightful owners cattle which have been driven astray or which have crossed the frontier.

The tracks of cattle driven astray, or which have crossed the frontier, may be pointed out not only to the frontier guards, but also to the elders of the nearest village.

#### ARTICLE XVIII

The present Treaty, after having been ratified by the two Emperors, shall be promulgated in both Empires for the information and guidance of all persons concerned. The ratifications shall be exchanged at St. Petersburg within a year.

The Plenipotentiaries of the two Contracting Parties have signed and sealed two copies of the present Treaty in the Chinese, Russian, and French languages. Of the three texts duly collated and found to correspond, the French text shall be held to be authoritative for the interpretation of the present Treaty.

## REGULATIONS FOR THE LAND TRADE

## ARTICLE I

A trade of free exchange and free of duty between Russian and Chinese subjects is authorized within a zone extending for 100 li on either side of the frontier. The supervision of this trade will rest with the two Governments in accordance with their respective frontier regulations.

## ARTICLE II

Russian subjects proceeding on business to Mongolia and to the districts situated on the northern and southern slopes of the T'ien-shan may cross the frontier only at trading posts specified in the list annexed to these regulations.

They must procure permits from the Russian authorities in the Chinese and Russian languages, with Mongolian and Tartar translations. The name of the owner of the goods, a specification of the goods, and the number of packages, may be indicated in the Mongolian and Tartar languages in the Chinese text of these permits.

Merchants, on entering Chinese territory, are bound to produce their permits, at the Chinese post nearest to the frontier, where, after examination, the permit is to be countersigned and sealed by the chief of the post.

The Chinese authorities are entitled to arrest merchants who have crossed the frontier without a permit, and to take them to the Russian authorities nearest to the frontier, or to the Russian Consul, for the infliction of a severe penalty.

In case the permit is lost, the owner is bound to give notice to the nearest Russian Consul, or the local authority, in order that a new one may be issued to him.

Merchandise transported to Mongolia and the districts situated on the slopes of the T'ien-shan, but which has not been wholly sold out, may be forwarded to Kalgan and Chia-yu-kuan for sale or to be sent further into the interior.

With regard to the duties on such merchandise, to the issuance of permits for its carriage, and to other Customs formalities, proceedings shall be taken in accordance with the following provisions.

## ARTICLE III

Russian merchants forwarding Russian goods from Kiakhta and Nerchinsk to Tientsin must send them by way

of Kalgan, Tung-pa and Tung-chou. Merchandise forwarded to Tientsin from Kobdo and Kuei-hua-cheng is to follow the same route. Russian merchandise forwarded to Hankow from Ili, Tarbagatai, and Kashgar must be sent by way of Chia-yu-kuan, and Hsi-an-fu, or Han-chung-fu.

Merchants must be provided with transport permits issued by the Russian authorities, and duly vised by the competent Chinese authorities, which must give, in the Chinese and Russian languages, the name of the owner of the goods, and the number of packages, and a description of the goods they contain.

The officials of the Chinese Customs-houses situated on the road by which merchandise is forwarded, will proceed without delay, to verify and examine it and allow it to pass, after affixing a vise to the permit.

Packages opened in the course of the Customs examination will be closed again at the Customs-house, the number of packages opened being noted on the permit. The Customs examination is not to last more than two hours.

The permits are to be presented within a term of six months to be cancelled in the Customs-house at Tientsin or Hankow. If the owner of the goods finds this term insufficient, he must at the proper time and place give notice to the Chinese authorities beforehand.

In case the permit is lost, the merchant must give notice to the authorities who delivered it to him to obtain a new one, indicating that this permit is a duplicate. The nearest Customs-house, after having ascertained the accuracy of the merchant's declaration, will give him a provisional certificate, accompanied by which his goods may proceed on their journey.

An inaccurate declaration of the quantity of the goods, if it be proved that it was intended to conceal sales effected on the way, or to escape payment of duty, shall render the merchant liable to the infliction of the penalties laid down by Article 8 of the present Regulations.

#### ARTICLE IV

Russian merchants who may wish to sell at Kalgan and Chia-yu-kuan any portion of the goods brought from Russia must make a declaration to that effect to the local Customs-houses within the time limit of five days. The Chinese authorities, after the merchant has paid the whole of the import duties, shall furnish him with a permit for the sale of the goods.

#### ARTICLE V

Goods brought by Russian merchants by land from Russia to Tientsin and Hankow shall pay an import duty, equivalent to two-thirds of the rate established by the Tariff.

## ARTICLE VI

Goods left at Kalgan, on which import duties have been paid and receipt obtained, but not sold there, may be sent on to Tung-chou or Tientsin, and the Customs authorities, without levying new duties, will repay the merchant one-third of the import duty paid at Kalgan, a note to that effect being made on the permit issued by the Kalgan Customs-house.

The goods left at Kalgan may be sent under the same conditions to Hsi-an-fu, Han-chung-fu, or Hankow, and the same regulations as for Kalgan will be applied.

## ARTICLE VII

Russian merchants, in case they wish to forward Russian goods or goods of other foreign nations from Kalgan and Chia-yu-kuan to be sold in the interior, are subject to the general Regulations established for foreign maritime commerce with China and beside the Tariff duty, must pay a transit due, (i.e., half of the Tariff duty). The Customs-house of either of these two places shall issue them certificates, which must be presented by the Russian merchants to all the other Customs-houses on their way. Without this certificate, duties and dues shall be levied at every Customs-house on their way.

## ARTICLE VIII

If it be ascertained, when the Customs examination of goods brought from Russia to Tientsin and Hankow takes place, that the goods specified in the permit have been withdrawn from the packages and replaced by others, or that their quantity, after deducting what has been left at Kalgan and Chia-yu-kuan, is smaller than that indicated in the permit, the whole of the goods included in the examination shall be confiscated by the Customs authorities.

It is understood that packages damaged on the road, and which, consequently, have been repacked, shall not be liable to confiscation, providing always that such damage has been declared at the nearest Customs-house, and that a note to this effect has been made by that office after it has ascertained that the goods have not been tampered with as at first sent off.

Goods concerning which it is ascertained that a portion has been sold on the road will be liable to confiscation.

The owner shall be liable to a fine equal in amount to the whole import duty in case goods have been taken by by-ways in order to evade their examination at the Customs-houses established on the routes indicated in Article 3.

If a breach of the aforesaid regulations has been committed by the carriers, without the knowledge or connivance of the owner of the goods, the Customs authorities shall take this circumstance into consideration in determining the amount of the fine.

When goods are confiscated, the merchant is entitled to their release by paying the equivalent of their value, duly arrived at by an understanding with the Chinese authorities.

#### ARTICLE IX

On the exportation by sea, from Tientsin and Hankow to some other Chinese port opened to foreign trade by Treaty, of goods brought from Russia or goods of other foreign nations by land, the Tientsin and Hankow Customs will levy on such goods one-third of the Tariff duty, in addition to the two-thirds already paid. No duty shall be levied on these goods in other ports.

Goods sent from Tientsin, Hankow or other ports to the interior are subject to transit dues, (i.e., half of the Tariff duty), according to the general Regulations laid down for foreign trade.

#### ARTICLE X

Chinese goods sent from Tientsin or Hankow to Russia by Russian merchants must be forwarded to Kalgan or Chia-yu-kuan by the route indicated under Article 3.

The entire export duty will be levied on these goods according to the general Regulations laid down for foreign trade when they leave the country. Nevertheless, reimported goods bought at Tientsin or Hankow as well as those bought in another port and forwarded in transitu to Tientsin or Hankow to be exported to Russia, shall not pay a second time if the Tariff export duty is paid in another part, and the half reimportation duty paid at Tientsin or Hankow shall be repaid to the merchant if the goods upon which it has been paid are exported to Russia within a year from the time of such payment.

For the transport of goods into Russia, the Russian Consul shall issue a permit indicating in the Chinese and Russian languages the name of the owner of the goods, the number of packages, and the nature of the goods they contain. These permits shall be vised by the port Customs authorities, and must accompany the goods, to be produced when they are examined at the Customs-houses on the road.

The rules given in detail in Article 3 shall be observed as to the term within which the permit is to be presented to the Customs-house to be cancelled, and as to the proceedings in case the permit is lost.



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Goods shall follow the routes indicated by Article 3, and are not to be sold on the way; a breach of this rule shall render the merchant liable to the penalties provided for under Article 3.

#### ARTICLE XI

Goods bought at Tung-chou, Hsi-an, or Han-chung, on leaving that place for Russia by land through Kalgan or Chia-yu-kuan, shall pay the full export duty laid down by Tariff for foreign trade.

Goods bought at Kalgan or Chia-yu-kuan shall pay in these places, on leaving for Russia, a duty equivalent to half the Tariff rate.

Goods bought by Russian merchants in the interior, and brought to Tung-chou, Hsi-an, Han-chung, Kalgan, and Chia-yu-kuan to be forwarded to Russia, shall in addition be subject to transit dues, according to the general Regulations established for foreign trade in the interior.

The local Customs-houses of the aforesaid places, after levying the duties, shall issue the merchant a transport permit for his goods. For goods leaving Tung-chou, this permit shall be issued by the Tung-pa Customs authorities, to whom application is to be made, accompanied by payment of the duties to which the goods are liable.

The rules given in detail in Article 3 relative to permits, the examination of goods, etc., shall apply in like manner to goods exported from the places mentioned in this article.

#### ARTICLE XII

Goods of foreign origin sent to Russia by land from Tientsin and Hankow shall pay no duty if the merchant produces a Customs receipt acknowledging payment of the import and transit duties on those goods. If they have only paid import duties, the competent Customs-house shall call upon the merchant for the payment of the transit dues fixed by the Tariff according to the general Regulations laid down for foreign trade.

#### ARTICLE XIII

Goods, foreign or native, imported into China by Russian merchants, or exported from China to them, shall pay Customs duties according to the General Tariff for foreign trade with China, and according to the Additional Tariff drawn up for Russian trade in the first year of Tung-chih 1862.

Goods not enumerated in either of those Tariffs will be subject to a five per cent ad valorem duty.

#### ARTICLE XIV

The following articles will be admitted free of export and import duty:--

Gold and silver ingots, foreign coins, flour of all kinds, sago, biscuits, preserved meats and vegetables, cheese, butter, confectionery, foreign clothes, jewelry and silver plate, perfumery and soaps of all kinds, charcoal, firewood, candles of foreign manufacture, foreign tobacco and cigars, foreign liquor, household stores and utensils to be used in houses and on board ship, travellers' luggage, stationery, tapestries, cutlery, foreign medicines, glass ware and ornaments.

The above mentioned articles will pass free of duty on entering and on leaving by land; but if they are sent from the cities and ports mentioned in these Regulations to the interior, they will pay a transit duty of 2 1/2 per cent ad valorem. Travellers' luggage, gold and silver ingots, and foreign coins will, however, not pay this duty.

#### ARTICLE XV

The exportation and importation of the following articles is prohibited, under penalty of confiscation in case of smuggling:--

Gunpowder, artillery ammunition, cannon, muskets, rifles, pistols and all fire-arms, engines and ammunition of war, salt, and opium.

Russian subjects going to China may, for their personal protection, have one musket or one pistol each, of which mention shall be made in the permit they are provided with.

The importation by Russian subjects of saltpetre, sulphur and lead is allowed only under special license from the Chinese authorities, since they are all important materials for ammunition, and such articles may be sold only to Chinese subjects who hold a special purchase-permit.

The exportation of rice or Chinese copper coin is forbidden. On the other hand, the importation of rice and of all cereals may take place duty free.

#### ARTICLE XVI

The transport of goods belonging to Chinese merchants is forbidden to Russian merchants who attempt to pass them off as their own property.

#### ARTICLE XVII

The Chinese authorities are entitled to take the necessary measures against smuggling.

SPECIAL PROTOCOL ON THE  
TREATY OF AIGUN, 1858

According to the Treaty of Aigun concluded in 1858, that is, the Chinese 8th year of Hsien-feng, Russian subjects are entitled the right of navigation on the Sungari River and the right to trade with the people living along the region of the aforesaid River. Nevertheless, this has not been carried out on account of the different interpretations of the aforesaid treaty. Since it is desirable to maintain the original intention of that statement, and it is necessary to eliminate the differences, the Plenipotentiaries of both States, after deliberation and discussion, have agreed as follows:--

The statement concerning both navigation and trade as stated in the Treaty of Aigun remains unchanged. Before a formal agreement on the regulations concerning the carrying out of this navigation and trade between the two States, Russian subjects are entitled to navigate the Sungari River as far as Po-tu-na. They are also entitled to trade with the people living in the region of that part of the River. They are entitled also to export the native goods of all kinds from the aforesaid region. Chinese authorities will not prevent the Russian subjects from trading with the people living therein.

This special protocol, after having been ratified by the two Emperors and exchanged, shall be signed and sealed by the Plenipotentiaries of the two Contracting Parties. They shall keep one copy each.

SPECIAL PROTOCOL ON THE PAYMENT OF THE  
EXPENSES OF THE OCCUPATION AND THE LOSSES OF THE RUSSIAN  
SUBJECTS.

By virtue of the VIth Article of the Treaty signed this day by the Plenipotentiaries of the Russian and Chinese Governments, the Chinese Government shall pay to the Russian Government the sum of 5,000,000 metallic rubles to meet the expenses of the occupation of Ili by Russian troops, and to satisfy divers pecuniary claims of Russian subjects. This sum is to be paid within a term of one year from the date of the exchange of the ratifications of the Treaty.

In order to fix the mode of payment of the aforesaid sum, the Undersigned have agreed as follows:--

The Chinese Government shall pay the sum of 5,000,000 metallic rubles in three equal parts. The first part shall be paid at the same time as the actual re-establishment of the Chinese authorities in Ili. The second part shall be paid six months after the first payment. The third part will be paid within a term of one year after the ratification of the present Treaty.

The Russian Government shall ask the Messrs. Baring Brothers and Co., of London to receive this sum of 5,000,000 metallic rubles on her behalf according to the terms stated in the Protocol.

The Chinese Government will pay a sum of 265,131 in English pounds sterling for each installment and a sum of 795,393 in English pounds sterling, a sum equivalent to 5,000,000 metallic rubles in all the three installments together.

The present Protocol shall have the same force and value as if it had been inserted word for word in the Treaty signed this day.

In token of which the Plenipotentiaries of the two Governments have signed the present Protocol and have affixed their seals.

APPENDIX E

TREATY OF ST. PETERSBURGH,<sup>1</sup> 1881, CONCERNING THE RE-ESTABLISHMENT OF THE AUTHORITY OF THE CHINESE GOVERNMENT IN ILI, ETC.,

together with

THE REGULATIONS FOR THE LAND TRADE BETWEEN CHINA AND RUSSIA.

His Majesty the Emperor and Autocrat of All the Russias and His Majesty the Emperor of China, being desirous of settling certain frontier questions concerning the interests of both Empires, and of drawing closer the friendly relations between the two countries, have named as their Plenipotentiaries, in order to arrive at an understanding on these questions:--

His Majesty the Emperor of All the Russias, his Secretary of State, Nicolas de Giers, Senator, Actual Privy, Councillor, in charge of the Imperial Ministry for Foreign Affairs; and his Envoy Extraordinary and Minister Plenipotentiary at the Court of China, Eugene de Butzow, Actual Councillor of State;

And His Majesty the Emperor of China, Tseng, Marquis of Neyoung, Vice-President of the High Court of Justice, his Envoy Extraordinary and Minister Plenipotentiary at the Court of Russia, intrusted with special powers to sign the Present Treaty as Ambassador Extraordinary.

The aforesaid Plenipotentiaries, intrusted with full powers, which have been found sufficient, have agreed to the following stipulations:--

## ARTICLE I

His Majesty the Emperor of All the Russias consents to the re-establishment of the Chinese Government in the country of Ili, which has been temporarily occupied, since 1871, by the Russian forces.

Russia remains in possession of the western part of that country within the limits indicated by Article VII of the present Treaty.

## ARTICLE II

His Majesty the Emperor of China undertakes to issue the necessary Decrees, in order that the inhabitants of Ili, to whatever race or religion they may belong, may be freed from all liability, whether as concerns their persons or their property, for acts committed during or after the disorders which have taken place in that country.

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1) Parliamentary Papers Accounts and Papers, 44, State Papers, China No. 1 (1882) Vol. LXXX, p. 123 (c. 3134)

A Proclamation in conformity with this undertaking will be addressed by the Chinese authorities, in the name of His Majesty the Emperor of China, to the people of Ili, before that country is made over to the said authorities.

ARTICLE III

The inhabitants of Ili will be at liberty to remain in the places where they at present reside as Chinese subjects, or to emigrate to Russia and to adopt Russian nationality. They will be called upon for a decision on the subject before Chinese authority is re-established in Ili, and a term of one year, to be reckoned from the date of the restoration of the country to the Chinese authorities, will be granted to those who express a wish to emigrate to Russia. The Chinese authorities will place no obstacles in the way of their emigration and of the removal of their personal property.

ARTICLE IV

Russian subjects holding land in Ili will retain their rights of ownership, even after the re-establishment of the authority of the Chinese Government in that country.

This arrangement does not apply to those inhabitants of Ili who adopt Russian nationality at the time of the re-establishment of Chinese authority in that country.

Russian subjects whose lands are situated outside the areas assigned for Russian factories, in virtue of Article XIII of the Kuldja Treaty of 1851, will pay the same taxes and contributions as Chinese subjects.

ARTICLE V

The two Governments will send to Kuldja Commissioners, who will proceed on the one part to cede and on the other to resume the administration of the Province of Ili, and to whom will be confided, in general, the execution of the stipulations of the present Treaty which relate to the re-establishment in that country of the authority of the Chinese Government.

The said Commissioners will carry out their instructions in accordance with the understanding to be arrived at as to the manner of ceding on the one part, and of resuming on the other, the administration of Ili, between the Governor-General of Turkestan and the Governor-General of the Provinces of Chan-si and Kan-sou, to whom the management of this business has been intrusted by the two Governments.

The transfer of the administration of Ili should be concluded within a term of three months or earlier, if possible, to date from the day of the arrival at Tashkend of the official delegated

by the Governor-General of Chan-si and Kan-sou to the Governor-General of Turkestan to notify to him the ratification and promulgation of the present Treaty by His Majesty the Emperor of China.

#### ARTICLE VI

The Government of His Majesty the Emperor of China will pay to the Government of Russia the sum of 9,000,000 metallic roubles, to meet the expenses of the occupation of Ili by Russian troops since 1871, to satisfy all pecuniary claims which have been brought forward up to this date for losses of Russian subjects whose goods have been plundered in Chinese territory, and to assist the families of Russian subjects killed in armed attacks of which they have been the victims in Chinese territory.

The above-mentioned sum of 9,000,000 metallic roubles is to be paid within a term of two years from the date of the exchange of the ratifications of the present Treaty, in the order and in accordance with the conditions agreed to by the two Governments in the special Protocol annexed to the present Treaty.

#### ARTICLE VII

The western part of Ili is incorporated with Russia, to serve as a place for the establishment of the inhabitants of that country who adopt Russian nationality, and who will therefore have had to abandon the lands they possessed.

The frontier between the Russian possessions and the Chinese Province of Ili, starting from the Bedjin-Taou Mountains, will follow the course of the Khorgos River as far as the spot where it falls into the River Ili, and, crossing this last river, will take a southerly direction, towards the Ouzontaou mountains, leaving the village of Koldjat on the west. From this point it will follow in a southerly direction the line laid down by the Protocol signed at Tchougoutchak in 1864.

#### ARTICLE VIII

A portion of the frontier-line to the east of Lake Zaisan, as laid down by the Protocol signed at Tchougoutchak in 1864, having been found incorrect, the two Governments will nominate Commissioners who will jointly modify the former line, in such a manner as to correct the errors pointed out, and to establish a sufficient separation between the Kirghiz tribes subject to the two Empires.

The new line shall, as far as possible, take a direction intermediate between the old frontier and a straight line starting from the Kouitoun Mountains towards the Saour Mountains, and crossing the Tcherni-Irtych.

## ARTICLE IX

The two Contracting Parties will name Commissioners for erecting boundary posts upon the line fixed by Articles VII and VIII, as well as upon that portion of the frontier where no posts have been erected. The time and place of meeting of these Commissioners will be settled by an understanding between the two Governments.

The two Governments will also name Commissioners to examine the frontier and to erect boundary posts between the Russian Province of Ferganah and the western part of the Chinese Province of Kachgar. These Commissioners will take the present frontier as the basis of their labours.

## ARTICLE X

The recognized Treaty right of the Russian Government to appoint Consuls at Ili, at Tarbagatai, at Kachgar, and at Ourga, is henceforward extended to the towns of Sou-Tcheou (Tsia-yu-Kouan), and Tourfan. In the following towns: Kobdo, Ouliassoutai, Khami, Ouroumtsi, and Goutchen, the Russian Government will establish Consulates accordingly as they are called for by the development of commerce, and after coming to an understanding with the Chinese Government.

The Consuls at Sou-Tcheou (Tsia-yu-Kouan) and Tourfan will exercise Consular functions in the neighboring districts, where the interests of Russian subjects may call for their presence.

The provisions of Articles V and VI of the Treaty concluded at Peking in 1860, relating to the concession of lands for Consular dwellings, for cemeteries, and for pasturage, will be in like manner applicable to the towns of Sou-Tcheou (Tsia-yu-Kouan) and Tourfan. The local authorities will assist the Consuls in finding temporary residences until the Consular houses are built.

The Russian Consuls in Mongolia and the districts situated on the two slopes of the Tian-chan will, for travelling purposes and for forwarding their correspondence, make use of the Government postal establishments, according to the stipulations of Article XI of the Treaty of Tien-tsin and Article XII of the Treaty of Peking. The Chinese authorities, when called upon by them for this purpose, will afford them their aid and assistance.

The town of Tourfan not being a place open to foreign trade, the right of establishing a Consulate there shall not serve as a precedent upon which to rest a similar right with respect to the ports of China, to the internal provinces, and to Manchouria.

## ARTICLE XI

Russian Consuls in China will communicate on business matters, either with the local authorities of their place of residence or with the superior authorities of the district or province, accordingly as the nature of the interests respectively intrusted to them and the



importance or urgency of the business to be transacted may require. The correspondence between them will take the shape of official letters. As to the rules of etiquette to be observed in their interviews, they will be based upon the consideration which the officers of friendly Powers owe to one another.

All questions arising on Chinese territory with regard to commercial or other matters between the dependents of the two States will be examined and settled by common consent by the Consuls and the Chinese authorities.

In disputes concerning commercial matters the parties may settle their differences amicably by means of arbitrators chosen by both sides. If by this course an understanding cannot be arrived at, the question will be examined and settled by the authorities of the two States.

Written engagements between Russian and Chinese subjects concerning orders for goods or their carriage, the hire of shops, houses, and other places, or relating to other similar transactions, may be presented for the legalization of the Consulates and of the higher local administrations whose duty it is to legalize documents presented to them. In case of the non-fulfillment of the engagements contracted, the Consuls and the Chinese authorities will consider as to measures calculated to insure the execution of such obligations.

#### ARTICLE XII

Russian subjects are authorized, as heretofore, to carry on trade free of duty in Chinese Mongolia, in those localities or aimaks where there are Chinese authorities, as well as in those where there are none.

Russian subjects may likewise carry on trade free of duty in the towns and other localities of the Provinces of Ili, Tarbagatai, Kachgar, Ouroumτσι, and others, situated on the northern and southern slopes of the Tian-chan range, as far as the Great Wall. This privilege will be withdrawn when the development of trade necessitates the enactment of a customs tariff, in accordance with an understanding to be arrived at between the two Governments.

Russian subjects may import into and export from the aforesaid provinces of China, products of every kind, no matter what their origin may be. They may effect purchases and sales either for cash or by barter; they will be entitled to make payments in merchandize of all kinds.

#### ARTICLE XIII

In the localities where the Russian Government is entitled to establish Consulates, as in the town of Kalgan, Russian subjects may construct houses, shops, store-houses, and other buildings on the land they may acquire by purchase, or which may be granted to them by the local authorities, in accordance with what is laid down for Ili and Tarbagatai by Article XIII of the Kuldja Treaty of 1851.

Privileges granted to Russian subjects in the town of Kalgan, where there will be no Consulate, constitute an exception which cannot be extended to any other locality in the internal provinces.

## ARTICLE XIV

Russian merchants wishing to send from Russia by land goods for the inner provinces of China, may, as formerly, send them by the towns of Kalgan and Toun-Tcheou to the port of Tien-tsin, and thence to other ports and inner markets, and sell them in those different localities.

Merchants will use the same route to export to Russia goods purchased in the towns and ports above-mentioned, or in the inner markets.

They will likewise be entitled to proceed on commercial business to Sou-Tcheou (Tsia-yu-Kouan), the terminus of Russian caravans, and will there enjoy all the rights granted to Russian commerce at Tien-tsin.

## ARTICLE XV

Trade carried on by land by Russian subjects in the inner and outer provinces of China will be governed by the regulations annexed to the present Treaty.

The commercial stipulations of the present Treaty, as well as the regulations which serve as its complement, may be revised after the lapse of ten years, to date from the day of the exchange of the ratifications of the Treaty; but if, within the course of six months before that term expires, neither of the Contracting Parties should manifest a desire to proceed to its revision, the commercial stipulations, as well as the regulations, will remain in force for a further term of ten years.

Trade by sea carried on by Russian subjects in China will come under the general regulations established for foreign maritime commerce with China. Should it become necessary to modify these regulations, the two Governments will come to an understanding on the subjects.

## ARTICLE XVI

Should the development of Russian trade by land call for the enactment of a Customs Tariff applicable to goods exported from and imported into China, which shall harmonize better with the necessities of that trade than the existing tariffs, the Governments of Russia and China will come to an understanding on the subject, taking as a basis for fixing the export and import duties an ad valorem rate of 5 percent.

Pending the enactment of this Tariff, the export duties levied on certain kinds of teas of inferior quality which are at present subject to the rates established for teas of high quality will be lowered in proportion to value. The settlement of those duties for each kind of tea will be sought for by means of an understanding between the Chinese Government and the Russian Envoy at Peking, within the term of one year, at the outside, from the date of the exchange of the ratifications of the present Treaty.

## ARTICLE XVII

Differences of opinion having heretofore arisen as to the application of Article X of the Treaty concluded at Peking in 1860, it is hereby agreed that the stipulations of the aforesaid Article concern-

ing the settlement of claims arising out of the theft or driving of cattle across the frontier will in future be interpreted to mean that parties found guilty of theft or driving astray will be condemned to pay the real value of the cattle not restored to the owners. It is understood that, in case of the insolvency of the guilty parties, the indemnity to be paid for the missing cattle shall not fall upon the local authorities.

The frontier authorities of both States will prosecute with full rigour of the laws of their country parties guilty of driving astray or stealing cattle, and will take such measures as may lie in their power to restore to the rightful owners cattle which has been driven astray or which has crossed the frontier.

The tracks of cattle driven astray, or which have crossed the frontier, may be pointed out not only to the frontier guards, but also to the elders of the nearest villages.

ARTICLE XVIII

The stipulations of the Treaty concluded at Aigoun on the 16th May, 1858, concerning the rights of the subjects of the two Empires to navigate the Amour, the Soungari, and the Oussouri, and to trade with the inhabitants of riverain places, are and remain confirmed.

Both Governments will proceed to the establishment of an understanding concerning the mode of applying the said stipulations.

ARTICLE XIX

The provisions of former Treaties between Russia and China, not modified by the present Treaty, remain in full force.

ARTICLE XX

The present Treaty, after having been ratified by the two Emperors, will be promulgated in either Empire for the information and guidance of all persons concerned. The ratifications will be exchanged at St. Petersburg within six months from the date of the signature of the Treaty.

Having settled the aforesaid Articles, the Plenipotentiaries of the two Contracting Parties have signed and sealed two copies of the present Treaty in the Russian, Chinese, and French languages. Of the three texts duly collated and found to correspond, the French text shall be held to be authoritative for the interpretation of the present Treaty.

Done at St. Petersburg the 12th February, 1881.

(Signed) Nicolas De Giers.  
(L.S.)

(Signed) Tseng.  
(L.S.)

(Signed) Eugene Butzow.  
(L.S.)

## PROTOCOL

In virtue of the VIth Article of the Treaty signed this day by the Plenipotentiaries of the Russian and Chinese Governments, the Chinese Government will pay to the Russian Government the sum of 9,000,000 metallic roubles to meet the expenses of the occupation of Ili by Russian troops, and to satisfy divers pecuniary claims of Russian subjects. This sum is to be paid within a term of two years from the date of the exchange of the ratifications of the Treaty.

In order to fix the mode of payment of the aforesaid sum, the Undersigned have agreed as follows:--

The Chinese Government will pay the equivalent of the sum of 9,000,000 roubles in pounds sterling, viz., 1,431,664l.2s., to Messrs. Baring, Brothers, and Co., of London, in six equal parts of 238,610 l. 13s. 8d. each, less the usual banking charges incurred by the transfer of these payments to London.

A space of four months shall intervene between the payments, the first being effected four months after the exchange of the ratifications of the Treaty signed this day, and the last after the completion of two years from the date of that exchange.

The present protocol will have the same force and value as if it had been inserted word for word in the Treaty signed this day.

In token of which the Plenipotentiaries of the two Governments have signed the present Protocol and have affixed their seals to it.

Done at St. Petersburg the 12th February, 1881.

(Signed) Nicolas De Giers.  
(L.S.)

(Signed) Tseng.  
(L.S.)

(Signed) Eugene Butzow  
(L.S.)

## REGULATIONS FOR THE LAND TRADE

### ARTICLE I

A trade by free exchange and free of duty (free trade) between Russian and Chinese subjects is authorized within a zone extending for 50 versts (100 li) on either side of the frontier. The supervision of this trade will rest with the two Governments in accordance with their respective frontier regulations.

### ARTICLE II

Russian subjects proceeding on business to Mongolia and to the districts situated on the northern and southern slopes of the Tian-chan Mountains may only cross the frontier at certain points specified in the list annexed to these Regulations.

They must procure from the Russian authorities permits in the Russian and Chinese languages, with Mongolian and Tartar translations. The name of the owner of the goods, or that of the leader of the caravan, a specification of the goods, the number of packages, and the number of heads of cattle may be indicated in the Mongolian or Tartar languages, in the Chinese texts of these permits.

Merchants, on entering Chinese territory, are bound to produce their permits, at the Chinese post nearest to the frontier, where, after examination, the permit is to be countersigned ("vise") by the chief of the post.

The Chinese authorities are entitled to arrest merchants who have crossed the frontier without a permit, and to take them over to the Russian authorities nearest to the frontier, or to the competent Russian Consul, for the infliction of a severe penalty.

In case of the permit being lost, the owner is bound to give notice to the nearest Russian Consul, in order that a fresh one may be issued to him, and to inform the local authorities, in order to obtain a temporary certificate which will enable him to pursue his journey.

Merchandise introduced in Mongolia and the districts situated on the slopes of the Tian-chan, but which have found no sale there, may be forwarded to the towns of Tien-tsin and Sou-Tcheou (Tsai-yu-Kouan), to be sold or to be sent further into China.

With regard to the duties on such merchandise, to the issue of permits for its carriage, and to other Customs formalities, proceedings shall be taken in accordance with the following provisions.

### ARTICLE III

Russian merchants forwarding goods from Kiakhta and the Nertchinsk country to Tien-tsin must send them by way of Kalgan, Dounba, and Toun-Tcheou. Merchandise forwarded to Tien-tsin from the Russian frontier by Kobdo and Kouï-houa-Tcher is to follow the same route.

Merchants must be provided with transport permits issued by the Russian authorities, and duly vise by the competent Chinese authorities, which must give, in the Chinese and Russian languages, the name of the owner of the goods, the number of packages, and a description of the goods they contain.

The officials of the Chinese custom-houses situated on the road by which merchandise is forwarded, will proceed, without delay, to verify the number of the packages, and to examine the goods, which they will allow to pass onwards, after affixing a visa to the permit.

Packages opened in the course of the Customs examination will be closed again at the custom-house, the number of packages opened being noted on the permit.

The Customs examination is not to last more than two hours.

The permits are to be presented within a term of six months at the Tien-tsin Custom-house to be cancelled. If the owner of the goods finds this term insufficient, he must at the proper time and place give notice to the Chinese officials.

In case of the permit being lost, the merchant must give notice to the authorities who delivered it to him to obtain a duplicate, and must for that purpose make known the number and date of the missing permit. The nearest custom-house on his road, after having ascertained the accuracy of the merchant's declaration, will give him a provisional certificate, accompanied by which his goods may proceed on their journey.

An inaccurate declaration of the quantity of the goods, if it be proved that it was intended to conceal sales effected on the road, or to escape payment of duty, will render the merchant liable to the infliction of the penalties laid down by Article VIII of these Regulations.

#### ARTICLE IV

Russian merchants who may wish to sell at Kalgan any portion of the goods brought from Russia must make a declaration to that effect to the local authorities within the space of five days. Those authorities, after the merchant has paid the whole of the entrance duties, will furnish him with a permit for the sale of the goods.

#### ARTICLE V

Goods brought by Russian merchants by land from Russia to Tien-tsin will pay an entrance duty equivalent to two-thirds of the rate established by the Tariff.

Goods brought from Russia to Sou-Tcheou (Tsia-yu-Kouan) will pay in that town the same duties and be subject to the same regulations as at Tien-tsin.

#### ARTICLE VI

If the goods left at Kalgan, having paid the entrance duties, are not sold there, their owner may send them on to Toun-Tcheou or to Tien-tsin, and the Customs authorities, without levying fresh duties, will repay to the merchant one-third of the entrance duty paid at Kalgan, a note to that effect being made on the permit issued by the Kalgan Custom-house.

Russian merchants, after paying transit dues, i.e., one-half the duty specified in the Tariff, may forward to the internal market goods left at Kalgan which have paid the entrance dues, subject only to the general regulations established for foreign trade in China. A trans-

port permit, which is to be produced at all the custom-houses and barriers on the road, will be delivered for these goods. Goods not accompanied by such permit will have to pay duty at the custom-houses they pass, and li-kin at the barriers.

#### ARTICLE VII

Goods brought from Russia to Sou-Tcheou (Tsia-yu-Kouan) may be forwarded to the internal markets under the conditions stipulated by Article IX of these Regulations for goods forwarded from Tien-tsin destined for the internal markets.

#### ARTICLE VIII

If it be ascertained, when the Customs examination of goods brought from Russia to Tien-tsin takes place, that the goods specified in the permit have been withdrawn from the packages and replaced by others, or that their quantity (after deducting what has been left at Kalgan) is smaller than that indicated in the permit, the whole of the goods included in the examination will be confiscated by the Customs officials.

It is understood that packages damaged on the road, and which, consequently have been repacked, shall not be liable to confiscation, providing always that such damage has been duly declared at the nearest custom-house, and that a note to such effect has been made by that office after it has ascertained the untouched condition of the goods as at first sent off.

Will be liable to confiscation, goods concerning which it is ascertained that a portion has been sold on the road.

If goods have been taken by bye-ways in order to evade their examination at the custom-houses established on the routes indicated in Article III, the owner will be liable to a fine equal in amount to the whole entrance duty.

If a breach of the aforesaid regulations has been committed by the carriers, without the knowledge or connivance of the owner of the goods, the Customs authorities will take this circumstance in consideration in determining the amount of the fine. This provision only applies to localities through which the Russian land trade passes, and is not applicable to similar cases arising at the ports and in the interior of the provinces.

When goods are confiscated the merchant is entitled to release them by paying the equivalent of their value, duly arrived at by an understanding with the Chinese authorities.

#### ARTICLE IX

On the exportation by sea from Tien-tsin to some other Chinese port opened to foreign trade by Treaty of goods brought from Russia by land, the Tien-tsin Customs will levy on such goods one-third of the Tariff duty, in addition to the two-thirds already paid. No duty shall be levied on these goods in other ports.

Goods sent from Tien-tsin or other ports to the internal markets are subject to transit dues (i.e., one-half of the Tariff duty) according to the general provisions laid down for foreign trade.

ARTICLE X

Chinese goods sent from Tien-tsin to Russia by Russian merchants must be forwarded to Kalgan by the route indicated under Article III.

The entire export duty will be levied on these goods when they leave the country. Nevertheless, reimported goods bought at Tien-tsin as well as those bought in another port and forwarded in transitu to Tien-tsin to be exported to Russia, if accompanied by a Customs receipt for the export duty, shall not pay a second time, and the half reimportation duty (coasting duty) paid at Tien-tsin will be repaid to the merchant if the goods upon which it has been paid are exported to Russia within a year from the time of such payment.

For the transport of goods in Russia, the Russian Consul will issue a permit indicating in the Russian and Chinese languages the name of the owner of the goods, the number of packages, and the nature of the goods they contain. These permits will be vise by the port Customs authorities, and must accompany the goods, for production when they are examined at the custom-houses on the road.

The rules given in detail in Article III will be observed as to the term within which the permit is to be presented to the Custom-house to be cancelled, and as to the proceedings in case of the permit being lost.

Goods will follow the route indicated by Article III, and are not to be sold on the road; a breach of this rule will render the merchant liable to the penalties provided for under Article VIII. Goods will be examined at the custom-houses on the road in accordance with the rules laid down under Article III.

Chinese goods bought by Russian merchants at Sou-Tcheou (Tsia-yu-Kuan), or brought by them from the internal markets to be forwarded to Russia, on leaving Sou-Tcheou for Russia, will have to pay the duty leviable upon goods exported from Tien-tsin, and will be subject to the regulations established for that port.

ARTICLE XI

Goods bought at Toun-Tcheou, on leaving that place for Russia by land, will have to pay the full export duty laid down by the Tariff.

Goods bought at Kalgan will pay in that town, on leaving for Russia, a duty equivalent to half the Tariff rate.

Goods bought by Russian merchants in the internal markets, and brought to Toun-Tcheou and Kalgan to be forwarded to Russia, will moreover be subject to transit dues, according to the general rules established for foreign trade in the internal markets.

The local custom-houses of the aforesaid towns, after levying the duties, will give the merchant a transport permit for his goods. For goods leaving Toun-Tcheou, this permit will be issued by the Dounba Customs authorities, to whom application is to be made for it, accompanied by payment of the duties to which the goods are liable. This permit will mention the prohibition to sell goods on the road.

The rules given in detail in Article III relative to permits, the examination of goods, etc., will apply in like manner to goods exported from the places mentioned in this Article.



## ARTICLE XII

Goods of foreign origin sent to Russia by land from Tien-tsin, Toun-Tcheou, Kalgan, and Sou-Tcheou (Tsia-yu-Kouan) will pay no duty if the merchant produces a Customs receipt acknowledging payment of the import and transit duties on those goods. If they have only paid entrance duties, the competent Custom-house will call upon the merchant for the payment of the transit dues fixed by the Tariff.

## ARTICLE XIII

Goods imported into China by Russian merchants, or exported by them, will pay customs duties according to the General Tariff for foreign trade with China, and according to the Additional Tariff drawn up for Russian trade in 1862.

Goods not enumerated in either of those Tariffs will be subject to a 5 percent ad valorem duty.

## ARTICLE XIV

The following articles will be admitted free of export and import duty:--

Gold and silver ingots, foreign coins, flour of all kinds, sago, biscuits, preserved meats and vegetables, cheese, butter, confectionery, foreign clothes, jewellery and silver plate, perfumery and soaps of all kinds, charcoal, firewood, candles of foreign manufacture, foreign tobacco and cigars, wine, beer, spirits, household stores and utensils to be used in houses and on board ship, travellers' luggage, official stationery, tapestries, cutlery, foreign medicines, glass ware and ornaments.

The above-mentioned articles will pass free of duty on entering and on leaving by land; but if they are sent from the towns and ports mentioned in these Regulations to the internal markets, they will pay a transit duty of  $2\frac{1}{2}$  percent ad valorem. Travellers' luggage, gold and silver ingots, and foreign coins will, however, not pay this duty.

## ARTICLE XV

The exportation and importation of the following articles is prohibited, under penalty of confiscation in case of smuggling:--

Gunpowder, artillery ammunition, cannon, muskets, rifles, pistols, and all fire-arms, engines and ammunitions of war, salt, and opium.

Russian subjects going to China may, for their personal defense, have one musket or one pistol each, of which mention will be made in the permit they are provided with.

The importation by Russian subjects of saltpetre, sulphur, and lead is allowed only under special license from the Chinese authorities, and those articles may only be sold to Chinese subjects who hold a special purchase-permit.

The exportation of rice and of Chinese copper coin is forbidden. On the other hand, the importation of rice and of all cereals may take place duty free.

ARTICLE XVI

The transport of goods belonging to Chinese merchants is forbidden to Russian merchants attempting to pass them off as their own property.

ARTICLE XVII

The Chinese authorities are entitled to take the necessary measures against smuggling.

Done at St. Petersburg, the <sup>12</sup>24th February, 1881

(Signed) Nicolas De Giers  
(L.S.)

(Signed) Tseng.  
(L.S.)

(Signed) Eugene Butzow  
(L.S.)

ANNEX TO ARTICLE II OF THE REGULATIONS FOR THE LAND TRADE

List of Frontier points which Russian subjects may pass in going to China for trading purposes.

Russian Posts

Staro-Tsouroukhaitouisky  
Tsagan-Oloievsky  
Klioutchevsky  
Kouloussoutaievsky  
Tchassoutcheievsky  
Douroulgouievsky  
Tokhtorsky  
Achinginsky  
Mentsinsky  
Charagolsky  
Koudarinsky  
Kiakhta  
Botsiisky  
Jeltourinsky  
Kharatsaisky

Khamneisky  
Klioutchevskoi  
Khanghinsky  
Okinisky  
Tsagan-obo  
Bourgassoutai  
Khabar-oussou  
Kahkty  
Kaptagai  
The Kok-sou Pass  
Khorgos  
The Kedel Pass  
The Terekty Pass  
The Tourougarte Pass  
The Souiok Pass  
Irkechtam

Chinese Posts

Khouboltchjikhou  
Tzerintou  
Mookghedzeghe  
Ouliantou  
Dorolok  
Khorine-narassou  
Khouratsa  
Baiandarga  
Achingra  
Mindza  
Joustyt  
Souck

Ouiialga  
Koudara  
Kiakhta  
Khara-khoutchjir  
Tchjirghetey  
Ortokho  
Irektchilam  
Ouioulet  
Byltys  
Tsai-gool  
Tchjintchjilik

The present list of points for passage may be modified by an understanding between the Russian Envoy at Peking and the Minister for Foreign Affairs of China, according to the data furnished to them by the Russian Consuls and by the Chinese frontier authorities as to the advantages of these points. These modifications will deal with the exclusion of certain points which may be recognized as superfluous, and with the substitution of others more advantageous to trade.

(Signed) Nicolas de Giers  
(L.S.)

(Signed) Tseng.  
(L.S.)

(Signed) Eugene Butzow  
(LS)

On these grounds, after having sufficiently examined this Treaty, we have approved, confirmed, and ratified it, and by these presents, we approve, confirm, and ratify it in all its parts, promising on our Imperial word, for ourselves, our heirs, and successors, that all that is stipulated by this Treaty shall be inviolably observed and executed. In faith of which we have signed with our own hand the present Imperial ratification, and we have had affixed to it the seal of our Empire.

The original is signed by the Emperor's own hand, thus:

(Signed) ALEXANDER.

(Countersigned) Giers, Secretary of State, in charge of the  
Ministry for Foreign Affairs.

#### MINUTES

The undersigned, Nicolas de Giers, Secretary of State, Senator, actual Privy Councillor, in charge of the Imperial Ministry for Foreign Affairs; and Tseng, Marquis of Neyoung, Vice-President of the High Court of Justice, Envoy Extraordinary and Minister Plenipotentiary of His Majesty the Emperor of China to His Majesty the Emperor of Russia, have met at the Foreign Office to exchange the acts of ratification of the Treaty between Russia and China, signed at St. Petersburg on the 12/24th February, 1881.

After reading the respective instruments, which have been recognized as literally similar to the original act, the exchange of the act ratified by His Majesty the Emperor of Russia on the 4/16th August, 1881, for the act ratified by his Majesty of China on the 3/15th May, 1881, has taken place according to custom.

In faith of which the Undersigned have drawn out the present Minutes and have affixed to them the seals of their arms.

Done at St. Petersburg, the 7th August, 1881.

(Signed) Nicolas de Giers  
(L.S.)

(Signed) Tseng.  
(L.S.)

