

TREATY SERIES. No. 7.
1897.

AGREEMENT

BETWEEN

GREAT BRITAIN AND CHINA,
MODIFYING THE CONVENTION
OF MARCH 1, 1894,
RELATIVE TO BURMAH AND THIBET.
[WITH A MAP.]

Signed at Peking, February 4, 1897.

[Ratifications exchanged at Peking, June 5, 1897.]

*Presented to both Houses of Parliament by Command of Her Majesty.
September 1897.*

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AND CHINA, MODIFYING THE CONVEN-
TION OF MARCH 1, 1894, RELATIVE TO
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Signed at Peking, February 4, 1897.

[Ratifications exchanged at Peking, June 5, 1897.]

IN consideration of the Government of Great Britain consenting to waive its objections to the alienation by China, by the Convention with France of the 20th June, 1895, of territory forming a portion of Kiang Hung, in derogation of the provisions of the Convention between Great Britain and China of the 1st March, 1894, it has been agreed between the Governments of Great Britain and China that the following additions and alterations shall be made in the last-named Convention, hereinafter referred to as the original Convention:—

ARTICLE I.

It is agreed that the frontier between the two Empires from latitude $25^{\circ} 35'$ north shall run as follows:

Commencing at the high peak situated approximately in that latitude and in longitude $98^{\circ} 14'$ east of Greenwich and $18^{\circ} 16'$ west of Peking, the line shall follow, as far as possible, the crest of the hills running in a south-westerly direction to Warung Peak (Kaulyang), and shall extend thence to Sabu Pum.

From Sabu Pum the frontier shall run in a line along the watershed slightly to the south of west through Shatrung Pum to Namienku Pum.

Thence it shall follow a line to be fixed after local investigation, dividing the Szis and the Kumsas as far as the Tabak Kha; thence the Tabak Kha to the Namtabet; thence the Namtabet to the Paknoi Kha; thence the Paknoi Kha to its source near Talang Pum; thence the Talang Pum ridge to Bumra Shikong.

From Bumra Shikong the frontier shall follow a line running in a south-west direction to the Laisa Kha; thence the Laisa Kha

to the Molè stream, running between Kadôn and Laisa; thence the Molè to its confluence with the Cheyang Kha; thence the Cheyang Kha to Alaw Pum; thence the Nampaung stream to the Taping.

ARTICLE II.

(The Taping to the Shweli River.)

From the junction of the Taping and the Nampaung streams the frontier shall follow the Taping to the neighbourhood of the Lwalaing ridge; thence a line running approximately along the Lwalaing ridge and the Lwalaing stream to the Namwan; thence the Namwan to its junction with the Shweli.

Great Britain engages to recognize as belonging to China the tract to the south of the Namwan River, near Naukhai, which is inclosed to the west by a branch of the Nam Mak River and the Mawsiu range of hills up to Loi Chow Peak, and thence by the range running in a north-easterly direction to the Shweli River.

In the whole of this area China shall not exercise any jurisdiction or authority whatever. The administration and control will be entirely conducted by the British Government, who will hold it on a perpetual lease from China, paying a rent for it, the amount of which shall be fixed hereafter.

ARTICLE III.

(The Shweli to the Mekong.)

From the junction of the Namwan and Shweli the frontier shall follow the northern boundary of the State of North Hsinwi, as at present constituted, to the Salween, leaving to China the loop of the Shweli River, and almost the whole of Wanting, Mong-ko, and Mong-ka.

Starting from the point where the Shweli turns northward near Namswan, *i.e.*, from its junction with the Namyang, the frontier shall ascend this latter stream to its source in the Mong-ko Hills, in about latitude $24^{\circ} 7'$ and longitude $98^{\circ} 15'$, thence continue along a wooded spur to the Salween at its junction with the Namoi stream. The line shall then ascend the Salween till it meets the north-west boundary of Kokang, and shall continue along the eastern frontier of Kokang till it meets the Kunlong circle, leaving the whole circle of Kunlong to Great Britain.

The frontier shall then follow the course of the river forming the boundary between Somu, which belongs to Great Britain, and Mêng Ting, which belongs to China. It shall still continue to follow the frontier between those two districts, which is locally well known, to where it leaves the aforesaid river and ascends the hills, and shall then follow the line of water-parting between the tributaries of the Salween and the Meikong Rivers, from about longitude 99° east of Greenwich ($17^{\circ} 30'$ west of Peking), and latitude $23^{\circ} 20'$, to a point about longitude $99^{\circ} 40'$ east of Greenwich.

(16° 50' west of Peking), and latitude 23°, leaving to China the Tsawbwaships of Kêng Ma, Mengtung, and Mengko.

At the last-named point of longitude and latitude the line strikes a very lofty mountain range, called Kong-Ming-Shan, which it shall follow in a southerly direction to about longitude 99° 30' east of Greenwich (17° west of Peking), and latitude 22° 30', leaving to China the district of Chen-pien Ting. Then, descending the western slope of the hills to the Namka River, it will follow the course of that river for about 10 minutes of latitude, leaving Munglem to China and Mangliin to Great Britain.

The frontier shall then follow the boundary between Munglem and Kiang Tong, which is locally well known, diverging from the Namka River a little to the north of latitude 22°, in a direction somewhat south of east, and generally following the crest of the hills till it strikes the Naulam River in about latitude 21° 45' and longitude 100° east of Greenwich (16° 30' west of Peking).

It shall then follow the boundary between Kiang Tong and Kiang Hung, which is generally formed by the Naulam River, with the exception of a small strip of territory belonging to Kiang Hung, which lies to the west of that river, just south of the last-named parallel of latitude. On reaching the boundary of Western Kyaing Chaing, in about latitude 21° 27' and longitude 100° 12' east of Greenwich (16° 18' west of Peking), the frontier shall follow the boundary between that district and Kiang Hung until it reaches the Mekong River.

ARTICLE IV.

[No addition to original Convention.]

ARTICLE V.

It is agreed that China will not cede to any other nation either Mung Lem or any part of Kiang Hung on the right bank of the Mekong, or any part of Kiang Hung now in her possession on the left bank of that river, without previously coming to an arrangement with Great Britain.

ARTICLE VI.

Article VI of the original Convention shall be held to be modified as follows:—

It is agreed that, in order to avoid any local contention, the alignments of the frontier described in the present Agreement shall be verified and demarcated, and, in the event of their being found defective at any point, rectified by a Joint Commission appointed by the Governments of Great Britain and China, and that the said Commission shall meet, at a place hereafter to be determined by the two Governments not later than twelve months from the date of

the signature of the present Agreement, and shall terminate its labours in not more than three years from the date of its first meeting.

If a strict adherence to the line described would intersect any districts, tribal territories, towns, or villages, the Boundary Commission shall be empowered to modify the line on the basis of mutual concessions. If the members of the Commission are unable to agree on any point, the matter of disagreement shall at once be referred to their respective Governments.

ARTICLE VII.

[No addition to original Convention.]

ARTICLE VIII.

[No addition to original Convention.]

ARTICLE IX.

Add as follows:—

In addition to the Manwyne and Sansi routes sanctioned by the Convention of 1894, the Governments of Great Britain and China agree that any other routes, the opening of which the Boundary Commissioners may find to be in the interests of trade, shall be sanctioned on the same terms as those mentioned above.

ARTICLE X.

[No addition to original Convention.]

ARTICLE XI.

[No addition to original Convention.]

ARTICLE XII.

Add as follows:—

The Chinese Government agrees hereafter to consider whether the conditions of trade justify the construction of railways in Yünnan, and, in the event of their construction, agrees to connect them with the Burmese lines.

ARTICLE XIII.

Whereas by the original Convention it was agreed that China might appoint a Consul in Burmah, to reside at Rangoon; and

that Great Britain might appoint a Consul to reside at Manwyne; and that the Consuls of the two Governments should each within the territories of the other enjoy the same privileges and immunities as the Consuls of the most favoured nation, and, further, that, in proportion as the commerce between Burmah and China increased, additional Consuls might be appointed by mutual consent to reside at such places in Burmah and Yünnan as the requirements of trade might seem to demand.

It has now been agreed that the Government of Great Britain may station a Consul at Momein or Shunning-fu, as the Government of Great Britain may prefer, instead of at Manwyne, as stipulated in the original Convention, and also to station a Consul at Ssumao.

British subjects and persons under British protection may establish themselves, and trade at these places, under the same conditions as at the Treaty ports in China.

The Consuls appointed as above shall be on the same footing as regards correspondence and intercourse with Chinese officials as the British Consuls at the Treaty ports.

ARTICLE XIV.

Instead of "Her Britannic Majesty's Consul at Manwyne" in the original Convention, read "Her Britannic Majesty's Consul at Shunning or Momein," in accordance with the change made in Article XIII.

ARTICLE XV.

[No addition to original Convention.]

ARTICLE XVI.

[No addition to original Convention.]

ARTICLE XVII.

[No addition to original Convention.]

ARTICLE XVIII.

[No addition to original Convention.]

ARTICLE XIX.

Add as follows:—

Failing agreement as to the terms of revision, the present arrangements shall remain in force.

SPECIAL ARTICLE.

Whereas on the 20th day of January, 1896, the Tsung-li Yamèn addressed an official despatch to Her Majesty's Chargé d'Affaires at Peking, informing him that on the 30th day of December, 1895, they had submitted a Memorial respecting the opening of ports on the West River to foreign trade, and had received an Imperial Decree in approval, of which they officially communicated a copy.

It has now been agreed that the following places, viz., Wuchow-fu, in Kwangsi, and Samshui City and Kong Kun Market, in Kwangtung, shall be opened as Treaty ports and Consular stations, with freedom of navigation for steamers between Samshui and Wuchow and Hong Kong and Canton, by a route from each of these latter places to be selected and notified in advance by the Imperial Maritime Customs, and that the following four places shall be established as ports of call for goods and passengers, under the same Regulations as the ports of call on the Yang-tzû River, namely, Kongmoon, Komchuk, Shihing, and Takhing.

It is agreed that the present Agreement, together with the Special Article, shall come into force within four months of the date of signature, and that the ratifications thereof shall be exchanged at Peking as soon as possible; in witness whereof the Undersigned, duly authorized thereto by their respective Governments, have signed the present Agreement.

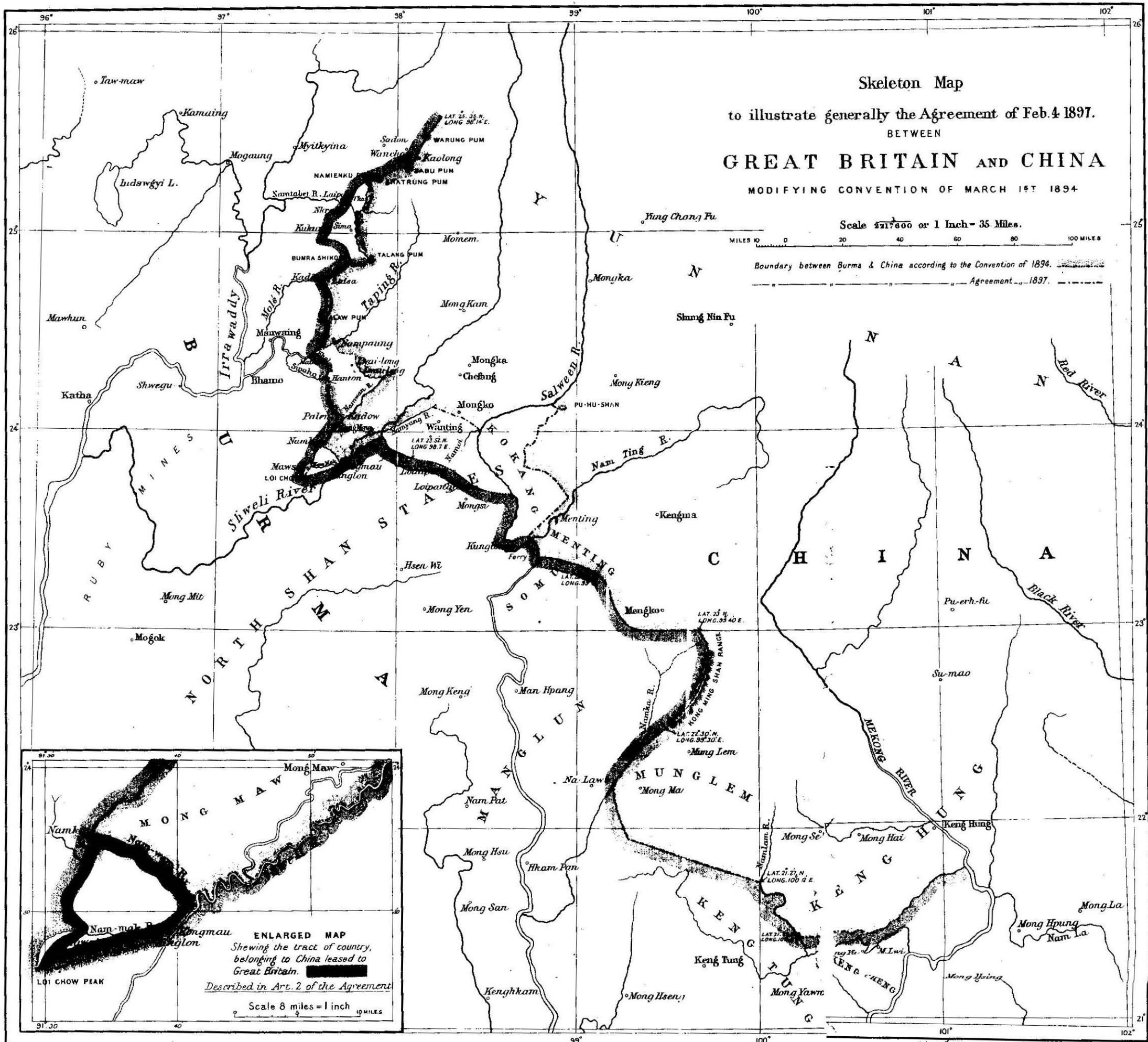
Done at Peking in triplicate—three copies in English, and three in Chinese—the 4th day of February, in the year of our Lord 1897.

(Signed) CLAUDE M. MACDONALD.

(Seal.)

(Chinese signature of his Excellency Li.)

(Seal.)



Skeleton Map
 to illustrate generally the Agreement of Feb. 4 1897.
 BETWEEN
GREAT BRITAIN AND CHINA
 MODIFYING CONVENTION OF MARCH 1ST 1894

Scale 2217600 or 1 Inch = 35 Miles.
 Boundary between Burma & China according to the Convention of 1894.
 Agreement of 1897.

