

MESSAGE

FROM

THE PRESIDENT OF THE UNITED STATES,

COMMUNICATING

(In compliance with a resolution of the Senate)

Copies of the instructions given to the late commissioner to China.

FEBRUARY 25, 1845.

Read, and ordered to be printed.

To the Senate of the United States :

I herewith transmit to the Senate, in answer to their resolution of the 14th instant, a report from the Secretary of State, with accompanying papers.

JOHN TYLER.

WASHINGTON, February 21, 1845.

DEPARTMENT OF STATE,

Washington, February 21, 1845.

The Secretary of State, to whom has been referred the resolution of the Senate of the 14th instant, requesting the President to communicate to that body, if not inconsistent with the public interest, "the instructions given to the late commissioner to China, and any communications made directly to that Government," has the honor of reporting to the President the accompanying papers, which embrace a copy of the documents called for by the resolution.

Respectfully submitted.

J. C. CALHOUN.

To the PRESIDENT OF THE UNITED STATES.

[No. 1.] DEPARTMENT OF STATE,

Washington, May 8, 1843.

SIR: You have been appointed by the President commissioner to China, and envoy extraordinary and minister plenipotentiary of the United

States to the Court of that empire. The ordinary general or circular letter of instructions will be placed in your hands, and another letter, stating the composition or organization of the mission, your own allowances, the allowance of the secretary, and other matters connected with the expenditures about to be incurred under the authority of Congress.

It now remains for this department to say something of the political objects of the mission, and the manner in which it is hoped those objects may be accomplished. It is less necessary than it might otherwise be to enter into a detailed statement of the considerations which have led to the institution of the mission, not only as you will be furnished with a copy of the President's communication to Congress, recommending provision to be made for the measure, but also as your connexion with Congress has necessarily brought those considerations to your notice and contemplation.

Occurrences happening in China within the last two years have resulted in events which are likely to be of much importance, as well to the United States as to the rest of the civilized world. Of their still more important consequences to China herself, it is not necessary here to speak. The hostilities which have been carried on between that empire and England have resulted, among other consequences, in opening four important ports to English commerce, viz: Amoy, Ning-po, Shang-hai, and Fu-chow.

These ports belong to some of the richest, most productive, and most populous provinces of the empire, and are likely to become very important marts of commerce. A leading object of the mission in which you are now to be engaged is, to secure the entry of American ships and cargoes into these ports on terms as favorable as those which are enjoyed by English merchants. It is not necessary to dwell here on the great and well-known amount of imports of the productions of China into the United States. These imports, especially in the great article of tea, are not likely to be diminished. Heretofore they have been paid for in the precious metals, or, more recently, by bills drawn on London. At one time, indeed, American paper, of certain descriptions, was found to be an available remittance. Latterly, a considerable trade has sprung up in the export of certain American manufactures to China. To augment these exports, by obtaining the most favorable commercial facilities, and cultivating, to the greatest extent practicable, friendly commercial intercourse with China, in all its accessible ports, is matter of moment to the commercial and manufacturing as well as the agricultural and mining interests of the United States. It cannot be foreseen how rapidly or how slowly a people of such peculiar habits as the Chinese, and apparently so tenaciously attached to their habits, may adopt the sentiments, ideas, and customs, of other nations. But if prejudiced, and strongly wedded to their own usages, the Chinese are still understood to be ingenious, acute, and inquisitive. Experience, thus far, if it does not strongly animate and encourage efforts to introduce some of the arts and the products of other countries into China, is not, nevertheless, of a character such as should entirely repress those efforts. You will be furnished with accounts, as accurate as can be obtained, of the history and present state of the export trade of the United States to China.

As your mission has in view only friendly and commercial objects—objects, it is supposed, equally useful to both countries—the natural jealousy of the Chinese, and their repulsive feeling towards foreigners, it is hoped, may be in some degree removed or mitigated by prudence and address

on your part. Your constant aim must be to produce a full conviction on the minds of the Government and the people, that your mission is entirely pacific; that you come with no purposes of hostility or annoyance; that you are a messenger of peace, sent from the greatest Power in America to the greatest Empire in Asia, to offer respect and good will, and to establish the means of friendly intercourse. It will be expedient, on all occasions, to cultivate the friendly dispositions of the Government and people, by manifesting a proper respect for their institutions and manners, and avoiding, as far as possible, the giving of offence either to their pride or their prejudices. You will use the earliest and all succeeding occasions to signify that the Government which sends you has no disposition to encourage, and will not encourage, any violation of the commercial regulations of China, by citizens of the United States. You will state in the fullest manner the acknowledgment of this Government, that the commercial regulations of the empire, having become fairly and fully known, ought to be respected by all ships and all persons visiting its ports; and if citizens of the United States, under these circumstances, are found violating well-known laws of trade, their Government will not interfere to protect them from the consequences of their own illegal conduct. You will at the same time assert and maintain, on all occasions, the equality and independence of your own country. The Chinese are apt to speak of persons coming into the empire from other nations as tribute bearers to the Emperor. This idea has been fostered, perhaps, by the costly parade of embassies of England. All ideas of this kind respecting your mission must, should they arise, be immediately met by a declaration, not made ostentatiously, or in a manner reproachful towards others, that you are no tribute bearer; that your Government pays tribute to none, and expects tribute from none; and that, even as to presents, your Government neither makes nor accepts presents. You will signify to all Chinese authorities and others, that it is deemed to be quite below the dignity of the Emperor of China and the President of the United States of America to be concerning themselves with such unimportant matters as presents from one to the other; that the intercourse between the heads of two such Governments should be made to embrace only great political questions, the tender of mutual regard, and the establishment of useful relations.

It is of course desirable that you should be able to reach Peking, and the Court and person of the Emperor, if practicable. You will accordingly at all times signify this as being your purpose and the object of your mission; and perhaps it may be well to advance as near to the capital as shall be found practicable, without waiting to announce your arrival in the country. The purpose of seeing the Emperor in person must be persisted in as long as may be becoming and proper. You will inform the officers of the Government that you have a letter of friendship from the President of the United States to the Emperor, signed by the President's own hand, which you cannot deliver except to the Emperor himself, or some high officer of the Court in his presence. You will say, also, that you have a commission conferring on you the highest rank among representatives of your Government; and that this, also, can only be exhibited to the Emperor or his chief officer. You may expect to encounter, of course, if you get to Peking, the old question of the *Kotou*. In regard to the mode of managing this matter, much must be left to your discretion, as circum-

stances may occur. All pains should be taken to avoid the giving of offence, or the wounding of the national pride; but, at the same time, you will be careful to do nothing which may seem, even to the Chinese themselves, to imply any inferiority on the part of your Government, or any thing less than perfect independence of all nations. You will say that the Government of the United States is always controlled by a sense of religion and of honor; that nations differ in their religious opinions and observances; that you cannot do any thing which the religion of your own country or its sentiments of honor forbid; that you have the most profound respect for His Majesty the Emperor; that you are ready to make to him all manifestations of homage which are consistent with your own sense; and that you are sure His Majesty is too just to desire you to violate your own duty; that you should deem yourself quite unworthy to appear before His Majesty, as peace bearer from a great and powerful nation, if you should do any thing against religion or against honor, as understood by the Government and people in the country you come from. Taking care thus in no way to allow the Government or people of China to consider you as tribute bearer from your Government, or as acknowledging its inferiority, in any respect, to that of China, or any other nation, you will bear in mind, at the same time, what is due to your own personal dignity and the character which you bear. You will represent to the Chinese authorities, nevertheless, that you are directed to pay to His Majesty the Emperor the same marks of respect and homage as are paid by your Government to His Majesty the Emperor of Russia, or any other of the great Powers of the world.

A letter, signed by the President as above intimated, and addressed to the Emperor, will be placed in your hands. As has been already stated, you will say that this letter can only be delivered to the Emperor, or to some one of the great officers of State, in his presence. Nevertheless, if this cannot be done, and the Emperor should still manifest a desire to receive the letter, you may consider the propriety of sending it to him, upon an assurance that a friendly answer to it shall be sent, signed by the hand of the Emperor himself.

It will be no part of your duty to enter into controversies which may exist between China and any European State; nor will you, in your communications, fail to abstain altogether from any sentiment or any expression which might give to other Governments just cause of offence. It will be quite proper, however, that you should, in a proper manner, always keep before the eyes of the Chinese the high character, importance, and power, of the United States. You may speak of the extent of their territory, their great commerce spread over all seas, their powerful navy everywhere giving protection to that commerce, and the numerous schools and institutions established in them, to teach men knowledge and wisdom. It cannot be wrong for you to make known, where not known, that the United States, once a country subject to England, threw off that subjection years ago, asserted its independence, sword in hand, established that independence after a seven years' war, and now meets England upon equal terms upon the ocean and upon the land. The remoteness of the United States from China, and still more the fact that they have no colonial possessions in her neighborhood, will naturally lead to the indulgence of a less suspicious and more friendly feeling than may have been entertained to-

wards England, even before the late war between England and China. It cannot be doubted that the immense power of England in India must be regarded by the Chinese Government with dissatisfaction, if not with some degree of alarm. You will take care to show strongly how free the Chinese Government may well be from all jealousy arising from such causes towards the United States. Finally, you will signify, in decided terms and a positive manner, that the Government of the United States would find it impossible to remain on terms of friendship and regard with the Emperor, if greater privileges or commercial facilities should be allowed to the subjects of any other Government than should be granted to citizens of the United States.

It is hoped and trusted that you will succeed in making a treaty such as has been concluded between England and China; and if one containing fuller and more regular stipulations could be entered into, it would be conducting Chinese intercourse one step further towards the principles which regulate the public relations of the European and American States.

I am, sir, very respectfully, your obedient servant,

DANIEL WEBSTER.

Hon. CALEB CUSHING.

[No. 2.]

DEPARTMENT OF STATE,

Washington, May 8, 1843.

SIR: The President having appointed you commissioner to China, in the place of Mr. Everett, who has declined to accept that appointment, this department is now to give you the necessary instructions for your mission.

You will receive, herewith, two commissions—one as commissioner, under which you will be authorized to treat with the Governors of provinces or cities, or other local authorities of China; and one as envoy extraordinary and minister plenipotentiary, to be presented at Peking, if you should reach the Emperor's Court.

You will likewise be furnished with—

1. A full power, authorizing you to sign any treaty which may be concluded between you and any person duly authorized for that purpose by the Emperor of China.

2. A letter of credence to the Emperor, with an office copy thereof—the original to be communicated or delivered to the Sovereign in such manner as may be most convenient or agreeable to His Majesty to receive it.

3. A special passport for yourself and suite.

4. A letter of credit on Baring, Brothers, & Co., bankers of the United States at London, authorizing them to pay your drafts from time to time, for an amount not exceeding twenty-five thousand dollars.

5. A printed list of the ministers and other diplomatic and consular agents of the United States abroad.

6. Laws of the United States, in nine volumes, and pamphlet copies of the acts of the 26th and 27th Congresses.

7. Congressional Debates, (Gales & Seaton's,) octavo, 31 volumes.

8. Gales & Seaton's American State Papers, folio, 21 volumes.

9. Waite's State Papers, 12mo, 12 volumes.

10. Diplomatic Correspondence, (Sparks's,) 12mo, 19 volumes.

11. Diplomatic Code, (Elliott's,) 8vo, 2 volumes.

12. American Almanac for 1843, 12mo, 1 volume.

13. Blue Book for 1841, 1 volume.
14. Commercial Regulations, 8vo, 3 volumes.
15. American Archives, (Force's,) folio, 3 volumes.
16. Secret Journals of Congress, 4 volumes.
17. Journal of Federal Convention, 1 volume.
18. Sixth Census of the United States, 4 volumes.
19. Congressional documents of the 2d session of the 26th Congress.
20. Congressional documents of the 1st session of the 27th Congress.
21. Senate documents of the 2d session of the 27th Congress.
22. Printed documents connected with the "Northeastern boundary" negotiation.

All the printed books are for the use of the mission; and, at the termination of your service, are to pass to your successor, or be left with the archives in the hands of the *chargé d'affaires*, in case one should be named, or of such other person as may be designated by this department to take charge of them.

The act of Congress places at the disposition of the President the sum of forty thousand dollars, as an appropriation for the special expenses of this mission. But this does not include such payments out of the general fund for the contingent expenses of all the missions abroad as are usually made in the case of other missions. The President directs that you be allowed an outfit of nine thousand dollars, and a salary of nine thousand dollars. In missions to Europe, the Government allows for the expenses of the minister's return a sum equal to one quarter's salary. Considering the distance from the United States at which diplomatic services are performed in Asia, it has been thought reasonable to allow in missions in that quarter of the world the minister's expenses in returning at the rate of half a year's salary. This has been done in previous cases. The return allowance is usually made out of the fund for the contingent expenses of the missions abroad; and, in case no sufficient surplus should remain of the fund specially appropriated by Congress after the necessary expenditures in China, you are authorized to draw on this department for your return allowance, as above stated. The secretary of the mission, Mr. Fletcher Webster, already appointed, will be allowed a salary at the rate of four thousand five hundred dollars a year. An advance has been made to him, partly towards his own compensation, and partly to enable him to make some necessary preparations for the objects of the mission, as you will see by his instructions, a copy of which you will herewith receive. The necessary travelling expenses of yourself and suite from place to place, while in China, when you cannot be conveniently conveyed by the squadron, will be allowed. Your salary will commence from the date of your commission, if you proceed on your mission within ninety days from that time. It is difficult to give you any rule respecting contingencies, in a service so new, and in a country so remote. It may be necessary, or at least highly useful, that a draughtsman should accompany you, and also some young gentleman in the character of physician. It is desired that you make such inquiries as may show whether the services of such persons can be obtained at small expense.

A number of young gentlemen have applied to be unpaid attachés to the mission. It will add dignity and importance to the occasion, if your suite could be made respectable in number, by accepting such offers of attendance without expense to the Government.

Of course, you will need the service of one or more interpreters. These you may engage either in Europe or in China, or wherever, in your own judgment, you can find persons most competent. The squadron destined for service in the Asiatic seas, and which, it is understood, will carry you out to China, will consist of the frigate Brandywine, sloop of war St. Louis, and the steam frigate Missouri. These vessels will be ready to proceed immediately from Norfolk, and will have instructions to take up the mission at Bombay.

The Secretary of the Navy will give the proper directions for the accommodation on board the vessels of such gentlemen attached to the mission as may be ready to go with the squadron.

The Navy Department will also cause proper instructions to be given to Commodore Parker, commanding the squadron, for carrying into effect the objects of Government in this important mission.

In another paper of this date, you will receive further instructions respecting the great political objects of the mission, and the means supposed to be most likely to accomplish them.

I am, sir, very respectfully, your obedient servant,

DANIEL WEBSTER.

CALEB CUSHING, Esq.,

Appointed Commissioner of the United States to China.

[No. 3.]

DEPARTMENT OF STATE,

Washington, June 12, 1843.

SIR: I have been informed that Mr. Forbes, now consul of the United States at Canton, is likely to be associated in business with a firm avowedly engaged in the opium trade.

Believing that a circumstance of the kind will not only diminish, if not destroy, the usefulness of that functionary himself, but will in all probability redound to the prejudice in China of the people of the United States, and of their special mission, I have addressed a letter to Mr. Forbes, acquainting him with what I have learned in regard to him, and that I considered his renouncing that connexion in trade as a condition indispensable to his retaining his place as consul of the United States. I also apprized him that I had authorized you, in the event of his being unwilling to comply with the wishes of the department in this particular, to confide the consular agency to some suitable person, until the pleasure of the President could be known.

You are accordingly instructed to inquire into the truth of the information communicated to this department in relation to Mr. Forbes; and, in case you be not satisfied that it is wholly without foundation, to proceed to carry into effect the views of the department in this respect.

In case you appoint a substitute for Mr. Forbes, you will be pleased to communicate the fact to us as soon as you conveniently can.

I have the honor to be, with high consideration, sir, your obedient servant,

H. S. LEGARE.

CALEB CUSHING, Esq., &c.

[TO THE EMPEROR OF CHINA.]

I, John Tyler, President of the United States of America—which States are : Maine, New Hampshire, Massachusetts, Rhode Island, Connecticut, Vermont, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina, Georgia, Kentucky, Tennessee, Ohio, Louisiana, Indiana, Mississippi, Illinois, Alabama, Missouri, Arkansas, and Michigan—send you this letter of peace and friendship, signed by my own hand.

I hope your health is good. China is a great empire, extending over a great part of the world. The Chinese are numerous. You have millions and millions of subjects. The twenty-six United States are as large as China, though our people are not so numerous. The rising sun looks upon the great mountains and great rivers of China. When he sets, he looks upon rivers and mountains equally large in the United States. Our territories extend from one great ocean to the other ; and on the west we are divided from your dominions only by the sea. Leaving the mouth of one of our great rivers, and going constantly towards the setting sun, we sail to Japan and to the Yellow sea.

Now, my words are, that the Governments of two such great countries should be at peace. It is proper, and according to the will of Heaven, that they should respect each other, and act wisely. I therefore send to your Court Caleb Cushing, one of the wise and learned men of this country. On his first arrival in China, he will inquire for your health. He has then strict orders to go to your great city of Peking, and there to deliver this letter. He will have with him secretaries and interpreters.

The Chinese love to trade with our people, and to sell them tea and silk, for which our people pay silver, and sometimes other articles. But if the Chinese and the Americans will trade, there should be rules, so that they shall not break your laws nor our laws. Our minister, Caleb Cushing, is authorized to make a treaty to regulate trade. Let it be just. Let there be no unfair advantage on either side. Let the people trade not only at Canton, but also at Amoy, Ning-po, Shang-hai, Fu-chow, and all such other places as may offer profitable exchanges both to China and the United States, provided they do not break your laws nor our laws. We shall not take the part of evil-doers. We shall not uphold them that break your laws. Therefore, we doubt not that you will be pleased that our messenger of peace, with this letter in his hand, shall come to Peking, and there deliver it ; and that your great officers will, by your order, make a treaty with him to regulate affairs of trade—so that nothing may happen to disturb the peace between China and America. Let the treaty be signed by your own imperial hand. It shall be signed by mine, by the authority of our great council, the Senate.

And so may your health be good, and may peace reign.

Written at Washington, this twelfth day of July, in the year of our Lord one thousand eight hundred and forty-three.

Your good friend,

JOHN TYLER.

By the President :

A. P. UPSHUR,

Secretary of State.

[TO THE EMPEROR OF CHINA.]

GREAT AND GOOD FRIEND: I have made choice of Caleb Cushing, one of our distinguished citizens, to reside near your Majesty in the quality of envoy extraordinary and minister plenipotentiary of the United States of America. He is well informed of the relative interests of the two countries, and our sincere desire to cultivate friendship and good correspondence between us; and, from a knowledge of his fidelity and good conduct, I have entire confidence that he will render himself acceptable to your Majesty, by his constant endeavors to preserve and advance the interests and happiness of both nations. I therefore request your Majesty to receive him favorably, and to give full credence to whatever he shall say on the part of the United States, and most of all when he shall assure you of their friendship and wishes for your prosperity. And I pray God to have you in His safe and holy keeping.

Written at the city of Washington, the twelfth day of July, in the year of our Lord one thousand eight hundred and forty-three.

Your good friend,
JOHN TYLER.

By the President:

A. P. UPSHUR,
Secretary of State.

[TO THE EMPEROR OF CHINA]

GREAT AND GOOD FRIEND: I have made choice of this Chinese one of our distinguished officers to make near your Majesty in the quality of envoy extraordinary and minister plenipotentiary of the United States of America. He is well informed of the relative interests of the two countries and our sincere desire to cultivate friendship and good correspondence between us and from a knowledge of his fidelity and good sense that I have entire confidence that he will render himself accessible to your Majesty by his constant endeavors to preserve and advance the interests and happiness of both nations. I therefore request your Majesty to receive him favorably and to give full credence to whatever he shall say on the part of the United States and most of all when he shall assure you of their friendship and wishes for your prosperity. And I pray God to have you in His safe and holy keeping.

Witness at the city of Washington the twelfth day of July in the year of our Lord one thousand eight hundred and forty three.

Your good friend

JOHN TYLER

By the President

A. P. LINCOLN

Secretary of State