

UNITED KINGDOM.

THE CHINESE MARITIME CUSTOMS PROJECT.

OCCASIONAL PAPERS: No. 5

The Chinese Maritime Customs:  
An International Service,  
1854-1950

BY

B. E. FOSTER HALL

Sometime Commissioner of Chinese Maritime Customs

*Published by order of the Chinese Maritime Customs project*

BRISTOL

PRINTED AND PUBLISHED BY UNIVERSITY OF BRISTOL

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Editorial note: This volume reproduces the text of B. E. Foster Hall's concise history of his former service, the Chinese Maritime Customs, published by the National Maritime Museum in 1977, and long out of print. We are grateful to the Museum, and to Foster Hall's family, for permission to bring it back into print. The original was published as an A4 pamphlet, and the quality of the reproduction of the photographs was poor. Our guiding editorial principle has been to retain Foster Hall's text exactly as it was printed, but to substitute better quality photographs from the 'Historical Photographs of China' project collection for those originally selected.

The second part of the current publication contains a short biographical note about Foster Hall, the text of a talk about his life and work in the Customs, and a select bibliography of work on the history of the service, and of memoirs or biographies of staff and their families.

Robert Bickers, University of Bristol, March 2015

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## FOREWORD TO THE ORIGINAL EDITION

This work arose out of one of the periodical symposia which have been held at the National Maritime Museum. The symposium, entitled '*China and the Red Barbarians*' was held in 1972, and some of the papers given were published in Maritime Monograph No. 8 in 1973. The attention of those responsible for its organisation was drawn, however, to the scarcity of easily available information about the Chinese Maritime Customs Service and it was felt that it would be useful to have a short account more readily available than the very good but very scarce works already published. Mr. Foster Hall, already the collector of historical material about the Service, agreed to prepare such a work, based mainly on a short history published for private circulation by Dr. Stanley F. Wright, formerly Commissioner of the Chinese Maritime Customs. Mr. Foster Hall entered the Customs Service in 1913, but interrupted his service to join the British forces in the First World War. Returning to China after the War, he rose to be Commissioner at Chefoo in 1937, subsequently serving at Shanghai headquarters, before becoming Secretary in London from 1943 to 1946. Unfortunately although Mr. Foster Hall completed the text, he did not survive to see it through the press. Mr. C. A. Pouncey, a Service colleague, whom Mr. Foster Hall had consulted when preparing the work, took over this task with enthusiasm, and the Museum is very much indebted to him for the trouble he has taken in this direction. He has also taken advice from other members of the Service, to whom our thanks are due. Mr. A. W. H. Pearsall, Historian on the staff of the Museum, has completed the manuscript for publication.

The Museum believes that the history of the Chinese Customs Service should be known to a wider public. It was an early essay in internationalism, born in unusual circumstances to meet an extraordinary situation. On the whole, the expedient became a success, and the Service materially aided China in the critical years of her transition to the modern world. Of particular interest to us at the National Maritime Museum are the harbour and lights services, which were integral parts of the organisation, for the trade on which the customs duties were founded was almost entirely seaborne and very largely in British ships. For these reasons, and because, up to the outbreak of the Second World War, the successive Inspectors General were all British, it was felt appropriate for the Museum to offer this short history to the public.

The illustrations have been contributed partly by the author and partly from a collection, now in the National Maritime Museum, made by D. W. Wymer while serving in the Customs cruisers.

D. W. Waters  
Deputy Director  
February 1977

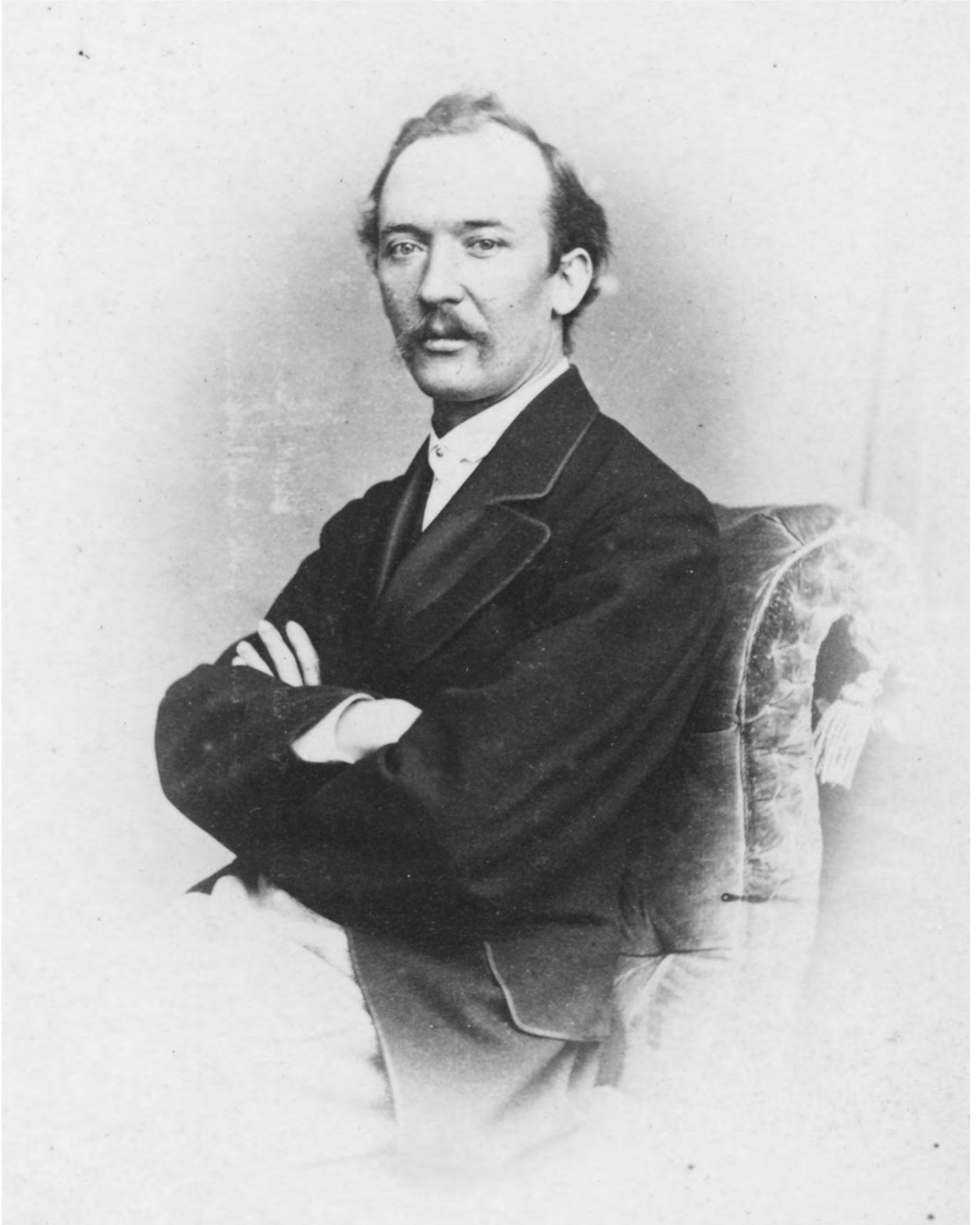


Figure 1. Robert Hart, c.1866: Special Collections, Queen's University Belfast, MS 15/6/1/B3,  
© Queen's University Belfast.

# CHAPTER I

## A SERVICE WITH MANY ROLES

China's Customs Service was unique in many ways. From its modest beginning in 1854, it developed over the years into China's foremost revenue-collecting agency, the guarantee for the secure service of many of the Government's foreign and domestic obligations, and an effective bridge for facilitating trade between China and the rest of the world.

But China's Customs Service was and did much more than this. It was not permitted to confine its attention to ordinary Customs routine. In the days when China had no diplomatic or consular agents abroad, the Customs Service, as a Chinese institution with a staff of picked men from the leading nations of the world, became for the Government - principally through its Head at Peking, but also in less degree through its Commissioners at the ports - a trusted counsellor and guide to whom the Peking Government and the provincial authorities alike turned for advice and assistance. That function naturally fell into abeyance with the growth of a Diplomatic Service and with the development of higher education on Western lines. But it was the Customs Service, by its resuscitation and support of the T'ung Wen Kuan, the old College at Peking, which enabled China to train her first Diplomats and thus help to lay the foundation for her Diplomatic and Consular Service.

In line with this fostering of China's representation abroad was the task of arranging for China to participate in no fewer than 28 international exhibitions. From the Paris Exhibition of 1867 to the Exhibition at Liege in 1905, at the request of the Government, the Customs planned and arranged displays of Chinese products which helped the world to understand and appreciate something of the art and culture and skills of the Chinese people.

Again, it was due to the Customs Service that the Government - after having finally disposed of the Taiping insurgents - were enabled to take in hand the erection of light houses and aids to navigation along China's coast and waterways, so that up to the period of the Japanese War in 1941, with its numerous Light houses - all of the most modern type - and its wireless beacons, the China coast was recognised as one of the best marked in the world, while the shifting shoals and channels and the sunken rocks of the Yangtze

were marked by the lightships, buoys, beacons and other aids regularly tended by the Customs Marine Department. This Department, too, in the days before the Hydrographic Bureau of the Chinese Navy, carried out for the Government all needed surveys of coast, harbours and rivers, publishing numerous charts which were still in use in the 1930s, and it was with the assistance of the Customs that the Hydrographic Bureau was able to come into effective existence. Control of harbours and of pilots and pilotage at the open ports as well as harbour and river conservancy were further matters the Customs had to deal with. Also in the days prior to the existence of the National Quarantine Bureau, the Customs supervised measures for the prevention of disease from ship-borne infection. Everything, in fact, connected with foreign trade and shipping and with the control and development of domestic trade when carried in foreign-style vessels, was automatically referred to the Customs for whatever administrative action the situation might call for.

Local interests likewise demanded their share of attention, and so, with the Government's sanction, the Customs Service collected such charges as the consolidated tax at specified ports; river dues, bridge tax, and the Haiho Improvement surtax at Tientsin; breakwater dues at Chefoo; dike dues at Ichang, Shasi, Hankow, Yochow and Changsha; wharfage dues and conservancy dues at many other ports; bund dues at Amoy; and mule tax at Tengyueh.

In the absence of a Government printing office, the publication of trade statistics and trade reports necessarily fell on the Customs Service. At first the annual returns and reports were printed locally at each port. But during the sixties of last century this work was centred at Shanghai, first at the Custom House and subsequently, in 1873, at the Statistical Department especially created for this purpose.

Besides the voluminous Annual and Decennial Trade Reports and Inspectorate instructions in the form of IG Circulars and Memoranda, the Department issued a special series of Medical Reports, a series of detailed reports on Lights, Buoys, and Beacons (later incorporated in the annual report of the Marine Department), a collection of China's Treaties with Foreign States, and scores of monographs dealing with such varied subjects as opium, tea, silk, Chinese music, collection and disposal of revenue, medicines,

jute, furs and skins, hospitals, ginseng, timber rafts on the Yangtze, and river conservancy. In its later days the Statistical Department with its trained staff, its up-to-date printing plant, and its full equipment of electrically controlled tabulating machines, turned out work which for technical excellence became the envy of other Governments.

Finally, it was the Customs Service which organised, and for many years administered, what later became the National Post office of China.

In the cosmopolitan nature of its staff, in the range of its interests, and in its ideals of public service, the Customs Service has not inaptly been termed a precursor of the former League of Nations, functioning, it is true, only in China and as a Chinese institution, but none the less a cosmopolitan league working for the welfare and advancement of the Chinese people.

## CHAPTER II

### THE ORIGINS OF THE SERVICE 1842-1854

What, then, was the origin of this unique service, and what were the circumstances causing and attending its birth? Behind it stood the secular dissatisfaction, going far back into the old Canton days, with Chinese ways of taxing trade. The farming of the revenue to the Superintendent of Customs and the bargain system of paying duties - with the unjust exaction, the inequality of treatment, the rapacity of underlings, and the Custom House squalor and corruption which resulted - were among the grievances which had culminated in the war of 1840.

The Treaty of Nanking, signed 29 August 1842, put an end to the old-time co-hong at Canton, through the members of which alone trade at that time could be carried on, opened five ports to foreign trade, and provided for a fixed tariff on imports and exports in place of the indeterminate charges previously levied. Thenceforward merchants were to come into direct relations with the Custom House at each of the five open ports, and could trade freely so long as they paid the treaty tariff rates on their goods. But the framers of the Treaty of Nanking and of the Supplementary Treaty of Hoomunchai, signed 8 October 1843, knew that smuggling was the bane of the China trade, that some of the traders were little better than commercial

buccaneers, that the Chinese Custom Houses were not run on Western civil service lines, and that the new order was fraught with peril to the development of legitimate trade. Accordingly, they inserted in the former instrument a clause - which had no analogue in the American or the French treaties of the time - to the effect that Her Majesty would appoint Consuls to reside at the five open ports to be the medium of communication between the Chinese authorities and the merchants, and 'to see that the just dues and duties of the Chinese Government....are duly discharged by her Britannic Majesty's subjects'.

Clauses, too, were inserted in the General Regulations of Trade, appended to the Treaty of Hoomunchai, the purpose of which was to establish a clearly defined system of Customs procedure.

With the opening of the new ports it was clear that the signing of treaties had not done away with the old difficulties. The Chinese, even if willing to do so, were incapable of fulfilling their treaty obligations to establish at the five ports open to foreign trade a fair and reasonable tariff of export and import dues which Sir Henry Pottinger, the first British Plenipotentiary, had, after much discussion with the Chinese plenipotentiaries and the British merchants, at last succeeded in drawing up. Enforcement of these rates - that is, the assessing and collecting of the duties - was naturally left in the hands of the Chinese Custom House officials, and it was here mainly that the proposed new system eventually broke down. Foreign traders were not slow to take advantage of the situation; many of them were not out in China as apostles of enlightenment and progress but were plunderers, and they had no scruples in using the necessities and propensities of the Custom House officials to help them to defraud the revenue in return for accommodation rendered. As foreign trade grew during the forties, cases of smuggling multiplied not simply by Treaty Power vessels, but much more by a swarm of vessels flying the flags of nations not having treaty relations with China and therefore immune from all consular intervention and control. In 1847, by an exchange of notes between the Chinese Imperial Commissioner Keying and Sir John Davies, then the British Plenipotentiary, the coastwise trade in Chinese products between the ports opened by treaty was permitted to foreign flag vessels. Full use was made of the privilege but all up and down the China coast, heedless of treaty ports, of treaty tariff, and of treaty restrictions, these ruthless fortune-seekers pushed their way, trafficking, with the connivance



Figure 2. Opening of the Inspectorate Chinese Staff Club, Peking, 1923. Sir Francis Aglen, then Inspector General, is in the front row, centre, holding a hat: Hayward collection, Ha-s002, © 2010 Tita & Gerry Hayward.

of the local officials, not only in ordinary goods but mainly in contraband such as opium, arms and ammunition. Thus the Imperial revenue was being defrauded by both native authorities and foreigners, and foreign trade was demoralised and converted into a game of hazard and over-reaching. New wine had been poured into an old bottle, and the bottle had burst. In response to protests from the Shanghai General Chamber of Commerce, Viscount Palmerston, then Secretary of State for Foreign Affairs, writing under date of 24 May 1851, to Sir George Bonham, the British Plenipotentiary, instructed him to inform the Chinese Government that, as Article VIII of the Treaty of Hoo-munchai conferred upon British subjects the right of enjoying the same treatment as that accorded to subjects of other Treaty Powers, and that as the Chinese Government had failed 'to act up to the manifest intention of the treaties between Great Britain and China, the British Government feels itself entitled to withhold for the future all interference on the part of the British Consular authorities for the protection of the Chinese revenue. That decision was virtually the abrogation of Article II of the Treaty of Nanking, and British merchants found themselves on precisely the same footing as merchants of the other Treaty Powers. The Taotai issued a new set of Customs regulations which, if they had been rigidly enforced, might have succeeded in their object, but human nature and Custom House practice can not be transformed by the mere issue of regulations, and dishonest merchants continued to drive bargains with Custom House officials, to the detriment both of the revenue and of their honest competitors. The malady called not for external treatment but for thorough reform from within. The opportunity for that reform was fast approaching.

On 8 March 1853 the Taiping rebels ousted the Imperial Army from Nanking and declared that city to be their capital. Trade became paralysed; silver coins and sycee - without which duties could not be paid - went to earth and native bankers refused accommodation. Deadlock and stagnation were broken by the action of the San-ho-hui, a secret society in alliance with the Taipings, who on 7 September 1853 seized the native city of Shanghai. In the resulting confusion a mob of freebooters came swarming into the British Settlement which had already grown up, and thoroughly looted the Custom House.

The Taotai, Woo Chien-chang, better known from his Canton days as Samqua, fled and the staff dispersed. The Consuls of the three Treaty Powers were unanimous that the maintenance of neutrality was

essential, and that therefore neither Imperialists nor rebels should be permitted to exercise governmental functions within the areas of the Foreign Settlements. Most merchants naturally interpreted this as inaugurating an era of free trade, but they were speedily disillusioned. On 9 September, both the British Consul, Mr. Rutherford Alcock, and the American Consul, Mr. Edward Cunningham, issued notifications informing merchants that the capture by rebels of an isolated seaport in no sense abrogated treaties between China and Great Britain, and China and the United States; in fact, as Alcock put it, 'the inability of the one Government to enforce its rights owing to calamities which beset it, so far from being a reason why the other should take advantage of the circumstances to ignore its rights, forms in truth the strongest argument for their honest recognition.' Both Consuls then enunciated rules, the purpose of which was practically to turn their Consulates into temporary Custom Houses where merchants were to deposit their papers, make their declarations, pay all duties due, and receive clearance. In view of the scarcity of silver, merchants were given the option of paying also by bills payable on demand at 40 days' sight in Shanghai to the Chinese Superintendent of Customs. This was the beginning of the so-called Provisional System which had a chequered career. Merchants resented it, as it left vessels flying flags other than those of Great Britain or the United States free to come and go as they pleased without paying a cent of duty. As these vessels took full advantage of their opportunity, thus penalising American shipping, and as the Taotai, who had returned, was anxious to carry on Customs business as usual, the American Commissioner, Mr. Humphrey Marshall, called upon the American Consul to issue a notification that American merchants were from 28 October 1853 to declare their cargoes and pay their duties at the floating Custom House which the Taotai had established on two Chinese men-of-war off Pootung Point.

This system soon broke down as vessels of other flags ignored the new establishment and finally, in desperation, the Taotai decided that he would move the collecting of duties away from the port of Shanghai and establish two collecting barriers inland, one on the north and one on the south. This alarmed the Consuls, as the unchecked exactions of inland tax stations was one of the dangers most dreaded both by merchants and by those who had negotiated the treaties. Accordingly, on 1 May 1854, the Consuls informed the Taotai that they considered the creation of two such barriers as he intended would be an infringement of the treaties, as these instruments

expressly provided not only for the amount of tariff duties, but also the place and the mode of their collection. To the Taotai this was so much academic vapouring; he had the Consuls in the fork of a cleft stick; they knew it, and smuggling flourished apace.

The Consuls realised that the situation was in danger of getting completely out of control, and on 15 June Alcock, elaborating an idea he had expressed earlier, submitted to Sir John Bowring, the British Plenipotentiary, a memorandum containing suggestions for an improved administration of the Customs and for the equal levy of duties. He proposed that the Taotai and the Treaty Power Consuls should unite in appointing a foreign Inspector of Customs, who should have his office in the Custom House, and who should inspect and check all documents and duty receipts as well as all Chinese records and registers, which should also be open to the inspection of the Consuls and the Taotai. The foreign Inspector should be assisted by a couple of first-class linguists, one or more Chinese writers, and one or more foreigners to

serve as Tidewaiters. Alcock was also prepared to allow the Custom House to function once more in the British Settlement, on condition that the Chinese authorities would undertake to engage reliable foreigners to supervise Custom House operations. The Taotai yielded, though unwillingly. On 21 June the Commissioner for the United States of America, Mr. Robert McLane, had an interview with the Governor General, I Liang, at which the Governor undertook that the two collecting barriers would be abolished and that the Taotai would be instructed to conclude an arrangement with the Consuls for the administration of the Custom House. Accordingly on the 29th of that month, the Taotai and the British, American and French Consuls held a meeting to discuss and draw up regulations for the reorganisation of the Custom House.

That meeting marked the inception of the modern Chinese Customs Service.



Figure 3. Customs House, Shanghai, c.1880: Henderson collection, DH-s134, © 2012 Felicity Somers Eve.

## CHAPTER III

### THE DEVELOPMENT OF THE NEW CUSTOMS 1854-1865, AND THE APPOINTMENT OF HART

The minutes of that meeting, signed as they were by the Taotai and the three Treaty Power Consuls, constitute, it may be said, the original charter by which the Chinese Government undertook to engage foreign aid in the administration of the Customs. They were drafted in the form of eight articles defining the basis upon which the new system was to work. The principle underlying them was the reorganisation, not the supersession, of the Chinese Custom House. The Consuls gave their aid in finding suitable foreigners for the work; but the authority and the responsibility remained ultimately vested in Chinese hands. The principle of a dual control in revenue matters - the foreign Commissioner having a Chinese colleague in the shape of the Superintendent of Customs who, until the revolutionary troubles of 1911 rendered a change in this respect necessary, actually received, banked and took charge of the money paid in as revenue - was maintained until the period of World War II.

The British Home Authorities were lukewarm towards this new development. The Earl of Clarendon, then Secretary of State for Foreign Affairs, thought that the experiment was worth trying, but that it would be advisable to see how it worked before introducing it at the other open ports. He pointed out, however, that the legal advisers to the Crown held that a British Inspector was not under the legal jurisdiction of the British Consul in respect to his actions as Inspector.

The Board of Inspectors - appointed with the concurrence of and under the authority of the Chinese Government, and thus Chinese officials from the start - consisted of Arthur Smith, Interpreter to the French Consulate; Lewis Carr, of the American Legation; and Thomas Francis Wade, British Vice-Consul, all of whom took the oath of office on 12 July 1854.

From the very outset the reorganised Custom House was a success, but the foreign merchants had no praise for an arrangement that cut large slices out of their profits and they put every conceivable obstacle in the way of the new Inspectors. The Englishman, Mr. (afterwards Sir Thomas) Wade, a sensitive man,

resigned in 1855 and was succeeded by a very forceful character, Mr. Horatio Nelson Lay, Vice-Consul and Interpreter in the British Consulate at Shanghai. The British Authorities had another man in view for the post but Lay, through his influence with the higher Chinese authorities, managed to get himself appointed by the Taotai, thus securing a departure from the agreement of July 1854. This triumvirate carried on the foreign business of the Shanghai Customs from 1854 to 1858 and the benefits of the new system became quickly obvious. Honest and efficient administration was established; trade was freed from underhand arrangements; accurate statistics were provided; honest merchants were protected; and the Chinese Government received a valuable revenue which vastly improved its financial position.

There was one drawback, however, to the success thus achieved. The more efficient the Customs administration at Shanghai became, the greater the advantages enjoyed by merchants trading at the other open ports where the same old easy methods of collusion obtained. Loss of trade at Shanghai as a result of this discrimination became a serious possibility. The situation was rectified after the hostilities of 1856, when the Treaties of Tientsin were signed with Britain, France, America and Russia in 1858. These provided, among other things, for a new tariff and the opening of ten more ports, while Rule 10 of the Rules of Trade attached to the Treaties stipulated that the Customs system adopted at Shanghai should be extended to all ports open to foreign trade.

Mr. Lay had proved himself the obvious man to undertake this and he was authorised to take the necessary steps. Apart from his sound knowledge of Chinese, he had devoted his whole time and energy for three years to the successful administration of the Shanghai Custom House, and had thus acquired invaluable practical experience and knowledge. Further, having been employed as interpreter, he had a first-hand acquaintance with all the negotiations which resulted in the framing of the Tientsin Treaty, tariff and Rules. He had admittedly grave defects of temper, but his sponsor, the Imperial Commissioner for Foreign Affairs for the Liang Kiang, evidently considered that his merits outweighed his defects, and he was accordingly appointed Chief Commissioner, a title which he himself translated as Inspector General. At the same time the American and the French Inspectors were paid off.

Canton was the first port to be brought into line and

here, in October 1859, and with the warm support of the local Chinese authorities, Lay opened a Custom House on the new model, appointing Mr. G. B. Glover, an American, as first Commissioner, and Mr. Robert Hart, who had resigned from the British Consular Service for this purpose in June of that year, as Deputy Commissioner. Thus began Hart's career of over 50 years in the Chinese Customs Service, a career without parallel in the annals of the Far East, during which he was enabled to effect more for the land of his adoption than any other foreigner before or since and, in so doing, to play no small part in the world's history.

Other new model Custom Houses were opened at Swatow in 1860, Ningpo, Chinkiang, Tientsin, Foochow, Hankow and Kiukiang in 1861, Amoy in 1862 and Chefoo, Tamsui and Takow in 1863. The fourteenth port, Newchwang, was finally opened on the new lines in 1864.

Another requirement of the Treaties was payment of indemnities from Customs revenue to both Britain and France, special supervision being provided for to ensure the accuracy of the amounts involved. This gave the infant Service a further opportunity to show its value. Centralised arrangements were necessary to pay the indemnities and as this was a direct obligation of the Central Government, it was considered advisable that the foreigner chosen as Inspector General of the Customs Service should receive his appointment from the newly create Tsungli Yamên, or Board of Foreign Affairs. Mr. Lay was accordingly gazetted on 21 January 1861 as appointed by Prince Kung, the head of the Tsungli Yamên, to the post of Inspector General. At the same time he was granted permission, for health reasons, to return home on leave and Messrs. G. H. Fitzroy, Shanghai Commissioner, and Robert Hart were appointed to take his place.

This joint commission functioned in Shanghai from April to June 1861 but early in the latter month Hart, who had taken the natural leadership by his ability, his energy, and his special knowledge of Chinese, was invited by the British Minister to come to Peking. He accepted the invitation and, while there, got into touch with Prince Kung and had many interviews with him and with the Tsungli Yamên authorities on the steps that should be taken by the Customs Administration to give effect to the various treaty stipulations regarding foreign trade and Customs affairs. By his mastery of Chinese, his tact, the modesty of his demeanour, his thorough knowledge of the Treaties and their bearing

on Customs work, the sanity of his judgement, and the soundness of his advice, he won the respect and complete confidence of Chinese high officials. It was then that Hart received from Prince Kung, under date of 30 June 1861, a dispatch confirming the appointment of Mr. Fitzroy and himself as Officiating Inspectors General.

When payment of the final installments of the indemnities was completed in 1866, the Tsungli Yamên were so satisfied that, in a Memorial to the Throne reporting the fact, they proposed the continuance of the Foreign Inspectorate, which was approved by Imperial Decree.

Mr. Lay did not return to China till 1863, by which time offices had been established at thirteen other Treaty Ports. The Taiping Rebellion was still at its height when he went on leave and, to help in suppressing it, the authorities finally decided to make use of foreign-style gunboats which Lay was authorised to purchase. Hart supplied the Yamên with lists of officers and crews who would be required to man the seven vessels which it was proposed should constitute the fleet, and recommended that a Chinese officer of high rank should be appointed to act with Captain Sherard Osborn - the officer selected by Lay in London - in all matters connected with the control and management of the fleet. Lay made the necessary arrangements with the British Authorities to enable British Naval officers to accept posts in the service of China and bought and equipped the seven vessels, but he went beyond his instructions, by an ill-advised incursion into politics over the question of control of the new fleet, and was dismissed by the Chinese Government as a result of his inability to see the limits to which an employee of the Government could go. This bitter draught was, however, sweetened with exceptionally generous financial treatment. Mr. Robert Hart's appointment as full Inspector General on 15 November 1863 was a foregone conclusion, as he had won golden opinions on all sides. The British Minister was no less emphatic in his good opinion while the American Minister, Mr. Anson Burlingame, wrote to Secretary of State Seward that Hart had deservedly won the confidence of the Chinese, and by his tact and ability had established himself in the regard of everyone. Even the foreign commercial community welcomed his accession. In August 1865 Prince Kung summoned Hart to Peking and ordered him to take up his permanent residence there as the problems facing the Peking Government, engendered mainly by the operation of the treaties and

persistent foreign pressure, were growing so complex and urgent that it had become essential to have close at hand a counsellor well versed in foreign ways and on whose advice complete reliance could be placed.

## CHAPTER IV

### REORGANISATION OF THE SERVICE 1865-1885

The years immediately following Hart's appointment were ones of great activity. Most notable were the establishment of the Customs Statistical Department in Shanghai, the despatch of the Burlingame mission to the Western Powers to plead the right of the Chinese to manage their own affairs - which in the event was a deplorable failure - the drawing up of the General Pilotage Regulations of 1868 which recognised the sovereignty of China in a field where there had been much disagreement with the foreign Powers, and the success in obtaining seven-tenths of the tonnage dues collection at each port for Service purposes.

This success enabled Hart to take in hand seriously what he had long thought of, namely the organising of a Marine Department to supervise harbours, and to take over the erection, control, and maintenance of necessary aids to navigation, more especially of lighthouses along the coast, to arrange for the removal of wrecks, the improvement and conservation of channels leading to harbours, and for the berthing of vessels in harbour. At the head he placed a Marine Commissioner, to be assisted by a harbour engineer, two coast lights engineers and three divisional inspectors, while each port was to have its harbour master ranking under the inspector of his division. As time went on this scheme underwent alteration. The posts of Marine Commissioner and divisional inspectors were done away with and in 1881 the post of Coast Inspector was created. Thanks to Hart's cautious policy of never taking a step in advance unless he was sure that the ground was firm, he was able in spite of meagre resources to build up a vigorous Marine Department, which at the time of his death in 1911, had a personnel of 895, of whom 114 were foreigners, and an equipment of 132 lighthouses, 45 light-vessels and light boats, 138 buoys, and 119 beacons, with a flotilla of surveying and lights-tending steam vessels. Some years later the engineers,

architects and clerks-of-work were incorporated in a separate Works Department under the control of the Engineer-in-Chief.

In 1869 Hart carried out a certain amount of reorganisation of the main Service. This provided for a foreign Indoor Staff of 17 Commissioners, 6 Deputy Commissioners and 90 Assistants, while the Chinese Indoor Staff was to consist of 70 Linguists in various grades, as well as Writers, Teachers and Shupan. But Hart stated that he hoped in course of time to see Chinese students passing from the T'ung Wen Kuan in to the Service as Third Assistants. The Outdoor Staff was to include 30 Tide surveyors, 30 Examiners and 160 Tide waiters, all foreigners, with a number of Chinese miscellaneous employees such as messengers and boatmen.

Hart's aim was, if possible, to give to each country trading with China a roughly proportionate representation in the Indoor Staff according to the trade done. But as the Service grew, he found difficulty in carrying out such a system of numerical proportion and accepted that the fact that the Service was open to all was a sufficient guarantee, on the part of an honest administration, for the interests of each. The first Service List, compiled in 1873, showed that the foreign Indoor Staff consisted of 95 all told, of whom 58 were British, 14 French, 11 Germans, 8 Americans, 2 Norwegian, 1 Russian, 1 Swiss. In 1911 there were 152 British, 38 German, 32 Japanese, 31 French, 15 American, 14 Russian, 9 Italian, 7 Portuguese, 6 Norwegian, 6 Danish, 5 Belgian, 5 Dutch, 4 Swedish, 3 Spanish and 1 Korean. In that year there was a total staff throughout the Service of 1,345 foreigners and 5,885 Chinese. This cosmopolitanism marked the personnel of the various staffs, and this outstanding characteristic of the Service did much to stabilise it and to render it of much greater utility to China than if it had been composed of men drawn only from the greater Powers. It also developed a remarkable international 'camaraderie' which probably had no parallel elsewhere in the world.

The right of the foreign Customs officials in the employ of the Chinese Government to punish offences against the revenue by fine or confiscation was one that was fiercely contested by the foreign merchants and questioned by many of the Consuls. After some years of negotiation and experiment, Hart was able to communicate to the ports in June 1868 a set of eight Rules for Joint Investigation in cases of Confiscation and Fine by the Custom House authorities, which



Figure 4. Canton Customs Staff, 11 October 1939, mainly Tidesurveyors and Appraisers. Foster Hall (then Commissioner) is in the centre, with the Chief Tidesurveyor – with cap – on his left: Hayward collection, Ha-s008, © 2010 Tita & Gerry Hayward.

although seldom used, served as a restraining and preventive influence for over 60 years until they were superseded in 1932.

The year 1874 afforded a good illustration of the adaptability and resourcefulness of the Service. From early days and in spite of government prohibition, emigration had gone on steadily to southern countries and when foreign vessels began to ply to and from China a new set of conditions arose, conditions far from creditable to the foreign contractors and ship-owners. The clamour for cheap labour encouraged Chinese emigration to the West Indies and to Central and South America and this took place under the contract system, a system which readily lent itself to the grossest of abuses. Victims were collected in China by false promises or even by force and after being brought down to the barracoons at the ports of departure, such as Macao, Canton and Amoy, were sold in batches to the speculating recruiters of labour. Conditions were indescribable on board the floating hells by which they were conveyed to their destinations, but these were mild compared with the cruelties practised on the victims by their exploiting owners once they had reached their places of work. By 1874 the Chinese Government decided to despatch a mission of enquiry to Cuba, where the treatment of Chinese emigrants was characterised by exceptional brutality.

Through Hart two Commissioners of Customs, Messrs. A. Macpherson and A. Huber, were deputed to proceed along with a Chinese representative to Cuba and carry out a thorough investigation on the spot, on the lines of a questionnaire drawn up by the Tsungli Yamên. Their summing-up was a terrible indictment, all the more terrible in that it was expressed objectively and without heat, and its result was that Spain did not get a much desired convention on that subject with China, until 1877, when the provisions were such as China could approve. Once more the Customs Service had demonstrated its value.

In 1875 the murder of Mr. A. R. Margary, a member of the British Consular Service, at Manwyne, near the Yunnan-Burma frontier, led to demands for further commercial privileges by the British Minister, Sir Thomas Wade. These resulted in the signing of the Chefoo Convention which owed much to Hart's mediation and advice.

Into the long and tangled story of Chinese and French connections with the Kingdom of Annam there is no

need to enter here. Both China and France claimed suzerainty over the whole of Annam, including the province of Tonkin adjoining the Chinese province of Yunnan. Hostilities broke out in December 1883, and both the Chinese mercenaries and the Chinese Imperial troops suffered severe reverses. The Canton authorities became alarmed lest a French attack should be lodged against that city, and so the Viceroy gladly accepted the intervention of Mr. G. Detring, recently appointed Commissioner of Customs at Canton. According to arrangements thus made, the French Captain Fournier, after securing the necessary credentials, proceeded with Detring to Tientsin to discuss terms of peace with the Viceroy Li Hung-chang. The negotiations were successful, and a convention to serve as a protocol for a final settlement was signed by Li and Fournier on 11 May 1884. By a misunderstanding the Chinese troops on the Kwangsi frontier failed to evacuate on the stipulated date and hostilities were renewed, marked by the destruction of the Chinese fleet while anchored in Pagoda Anchorage, below Foochow, the bombardment of the forts at Keelung, and the blockading of the Formosan coast.

On several occasions during these hostilities Hart had made attempts at reconciliation, but it was not till October 1884, when the French seized the Customs lighthouse tender Feihoo, that he was afforded the opportunity of effective intervention. Under the cover of secrecy, he obtained plenipotentiary powers from the Chinese Government and he then instructed his Commissioner, Mr. J. D. Campbell, who was in charge of the Chinese Customs office in London, to proceed to Paris and negotiate for the release of the lights tender. at the same time he was enjoined to ascertain from M. Ferry, the French Minister of Foreign Affairs, on what terms France would be willing to terminate hostilities. As soon as the French Government were assured by the Tsungli Yamên that they had placed full powers in Hart's hands, negotiations were taken up which were kept secret from both French and Chinese officials in China. Thanks largely to Mr. Campbell's ability and good sense, these negotiations under Hart's guidance were completely successful, and on 4 April 1885 a protocol was signed at Paris agreeing to China's proposals, namely a ratification of the Li-Fournier Convention of May 1884, general cessation of hostilities, and the sending of a Minister by France to China to arrange the details of the treaty which was finally signed on 9 June. Some of the professional diplomats were inclined to regard Hart's intervention as encroachment on their territory, but

his action originated in defence of Customs Service property for which he was responsible, and he took no step without the full approval and support of the Tsungli Yamên. If complete success be the test of an action, a success welcome to both the principals concerned, then neither Hart nor the Service had any cause for regret.

After the protocol was signed on 4 April, Sir Robert proceeded to the Tsungli Yamên to announce the success of his mission to the assembled Cabinet Ministers. After refreshments and light conversation, he casually remarked, with apparent Oriental indifference, 'It is nine months ago today since you placed the French negotiations in my hands'. 'And the child is born' exclaimed one of the Ministers, delighted at the truly Oriental manner of conveying the news! The year 1885 was also memorable for other events which meant much for the future of the Service. On the death of Sir Harry Parkes, the British Minister Lord Granville offered the post of British Minister and Plenipotentiary to Sir Robert Hart, (he had been created KCMG in 1882) and on 10 June he was gazetted to the post. Judging from his official farewell to the Service with which he had been so closely connected for over a quarter of a century, this return to his former love was not a wholly unmixed joy. He had arranged with the Yamên that his successor as Inspector General should be his younger brother, Mr. James H. Hart, a Commissioner who had made his mark in various responsible posts, but there were other candidates for the Customs vacancy which were likely to cause an international rivalry and so, at the request of the Empress Dowager, to the satisfaction of the Government, and to the relief of the Customs, Hart decided to remain on at the post which he himself had made famous, and which he was better qualified to fill than anyone else.

## CHAPTER V

### OPIUM AGREEMENTS AND FOREIGN PRESSURE 1885-1896

The movement of opium into China was regulated by the Additional Article to the Chefoo Convention which was signed by China and Great Britain in 1885, but the free-trade depot of Hongkong was the centre of rampant smuggling into China, especially of opium and salt,

and the Hongkong authorities steadily maintained that this was no concern of theirs. The Hongkong trading community were loud and bitter in their complaints against Chinese preventive measures - duty and likin collecting centres and patrolling cruisers - and demanded the restoration of a privilege previously enjoyed by which Chinese produce had been allowed to be transhipped at Hongkong without losing its Chinese status. They resented the fact that junk-borne cargo to and from Macao continued to be treated as goods to and from Chinese territory, due to the fact that China did not recognise Macao as Portuguese territory until the Protocol of Lisbon was signed in 1887.

The Additional Article to the Chefoo Convention called for a Commission to be appointed 'to enquire into the question of the prevention of smuggling in to China from Hongkong', and this Commission met in the summer of 1886, with the Tao tai Shao and Sir Robert Hart representing China. The atmosphere was charged with electricity but in the end an Opium Agreement was signed on 11 September 1886, under which the Chinese Customs Service was for the first time entrusted with the control of Chinese craft sailing out of Hongkong waters in to Chinese waters and vice - versa. The Hongkong Government permitted - without extending official recognition - the opening of an office of the Chinese Customs in the city of Victoria, where a Commissioner of Customs of British nationality, appointed by the Inspector General, could function as the Chinese official in charge of the Kowloon district and of all the Chinese revenue-protecting agencies within its limits. To implement the Opium Agreement the Hongkong Government passed the Opium Ordinance No. 22 of 1887, the provisions of which, if enforced, would have given the 'coup de grace' to opium smuggling. However, not only was it never enforced but the evidence soon began to accumulate that the interpretation of these stipulations was loaded in favour of the opium trader when his actions were judged to be in the interest of the Colony.

One of the very first conditions laid down by the British representatives on the Commission was that China should arrange with Macao for the adoption of similar measures. This gave Portugal the very opportunity for which she had long been waiting. For 330 years her citizens had lived and traded on the Macao peninsula and although they had founded there a thriving and famous colony, yet the suzerainty had always been retained by China. As the price of

her acquiescence in an opium agreement Portugal now demanded China's recognition of Portugal's full sovereignty over the territory and colony of Macao. It was a heavy price to pay, and some of China's leading statesmen were strongly opposed to any such concession; but the Hongkong agreement had been signed, and unless the whole of the arrangement and all that it implied for China's revenue was to be scrapped, then Portugal's conditions would have to be met. Hart was therefore instructed to proceed with the necessary arrangements. Mr. J. D. Campbell was accordingly entrusted with a second diplomatic mission, this time to Lisbon, where on 26 March 1887 he signed with the Portuguese Authorities what is known as the Protocol of Lisbon. By this instrument China confirmed perpetual occupation and government of Macao and its dependencies by Portugal, while Portugal undertook never to alienate this territory without China's consent, and to co-operate in the opium revenue work at Macao in the same way as Great Britain at Hongkong. These protocol articles were confirmed by the Treaty of Friendship and Commerce between Portugal and China, which was signed at Peking on 1 December 1887 and ratified on 28 April of the year following at Tientsin. A later agreement provided for the opening of an office of the Chinese Customs close to Macao for the sale of opium duty certificates and for dealing with complaints, and this Custom House under the control of the Inspector General was opened at Lappa on 2 April 1887. Much praise was due to the Commissioners who opened the Kowloon and Lappa Custom Houses, Messrs. Morgan and Farag whose ability was conspicuous throughout. These two ports were the latest to be opened and brought the number to 21. The personnel of the Service had grown to a little over 3000 Chinese and 685 foreigners, as compared with 1000 Chinese and 400 foreigners in 1876.

China's relations with her dependencies and tributary states were a constant source of trouble and embarrassment during the nineteenth century. Liuchiu, Formosa, Ili, Nepal, Burma, and Annam had one and all given rise to political difficulties. Hardly had the Tonkin dispute been settled than unrest began to show itself in the ancient vassal state of Korea. To counteract Japanese influence and activities in that country, the Viceroy Li Hung-chang sent, early in 1883, as resident to Seoul his most trusted secretary, Yuan Shih-k'ai, and at the same time appointed as Yuan's foreign adviser Mr. P. G. von Mollendorff, who had originally come to China as an Assistant in the Chinese Customs Service, but who at the time

of accepting this post of adviser was in the German Consular Service. He was a man who believed that he could hustle the East, and forthwith drew up an ambitious programme of industrial, commercial and financial reforms. To obtain funds for his purposes, he suggested that Russia should be approached with proposals for the supply of military instructors in return for the use of Port Lazareff - an ice-free harbour on the eastern coast. This action caused international turmoil, as Japan interpreted it as a threat; China regarded it as a danger to her suzerainty and an encouragement of Korean independence; and Great Britain was more than suspicious of any Russian movement in the Far East. So von Mollendorff departed and was replaced by Mr. H. F. Merrill, an American Commissioner of Chinese Customs, who, at the request of the King of Korea, had been selected by Sir Robert Hart for the post. Under Merrill the Korean Customs was gradually reorganised and its staff reinforced by picked men from the Chinese Service, in the hope, which was never fulfilled, that the two Services might eventually be welded together. However, the connexion was maintained as a useful demonstration of China's suzerainty until the political situation in Korea, which had been dangerous for some time, boiled over into war between China and Japan. This was ended by the Treaty of Shimonoseki, signed on 17 April 1895, which called on China to recognise 'the full and complete independence and autonomy of Corea' and also to pay a heavy indemnity which was to be a charge on the Chinese Customs revenue. In the following year a subsidiary Treaty of Commerce and Navigation brought about the cession of Formosa to Japan and the opening of four more Treaty Ports in China.

China decided to pay off this indemnity as quickly as possible by means of foreign loans, in order to rid Chinese territory of the victor's troops, and this was followed by an unseemly scramble in foreign banking circles to obtain these loan advantages which were to be secured on the Customs revenue and even, they hoped, on certain Likin receipts.

These loans marked the beginning of China's national Debt and were the source of much financial and political embarrassment, but at the same time they strengthened the position of the Chinese Customs Service both with the Chinese authorities and in the eyes of the foreign Powers. Under Hart's administration the Service had become not only a well-organised, reliable and efficient civil service, bringing in a sure and steadily growing revenue, but also, by virtue of

its regular functions and of the many special duties entrusted to it, a centralising and unifying agency representing and promoting the authority and interests of the Central Government in nearly every province of the Empire. From this point of view it was both a political symbol and a political influence. Further, the post of administrative head of its activities had, thanks to Hart's personality, become a position of first-rate importance, so much so that Russia, when trying to negotiate a loan to China in 1898 - which incidentally failed - put forward a condition that a Russian should be appointed Inspector General of Customs when that post should become vacant.

On the other hand, the servicing of these loans led to the unpalatable fact that the Customs revenue, which had come to be the Government's most reliable source of income, was no longer available for ordinary maintenance expenses but was now pledged in its entirety for the service of foreign loans raised to extinguish a resented war indemnity. It was largely due to Hart's skillful handling of the situation - and he had not a little to do with the loan negotiations - that the Service was kept intact not only through that crisis but through an even greater one which was now looming in the near future.

## CHAPTER VI

### STEAM NAVIGATION IN INLAND WATERS 1896-1898

Another development in China's economic life, which had begun as far back as the days of the Taiping Rebellion, reached a critical stage between 1896 and 1898; this was the twin issue of steam navigation in inland waters, and the right of foreigners to participate in it. Up till the late 1860s, except for certain war-time measures described below, the position had been that all steamers plying in Chinese waters were foreign-owned, as Chinese merchants were forbidden to own or operate steam vessels. As these vessels were only allowed to call at open ports, all traffic inland or to other places along the coast continued to be by junk or similar craft. All such native craft and the cargo they carried, whether at open ports or elsewhere, came under the control of the native authorities and not of the Inspectorate of Customs.

During the 1850s Taotai Woo Chien-chang of Shanghai had purchased foreign steamers for use against the rebels; and a little later both Ward and Gordon were permitted to use steam launches in their campaigns round Shanghai. Such incursions by steamers into inland waters were for strictly military purposes and were under Chinese surveillance and control. Both Chinese and foreign merchants, however, lost no time in following suit and began to make use of steam-launches to push their trade inland. The provincial authorities grew alarmed and, as soon as the country was pacified, issued in February 1865 a notification to the effect that steam-launches would no longer be permitted to go to inland places not opened by Treaty. This order created a storm but the Government stood firm, as they were determined that if this inland traffic was inevitable, it should be in their own hands and not in those of foreigners enjoying extra-territorial privileges. This led to the Customs registration of tugs which were forbidden to trade inland to unopened ports.

From 1861 onwards the authorities made increasing use of purchased or chartered steamers for military and official purposes. They went further, and started to experiment in the building of steam vessels, experiments which resulted in the founding of the Kiangnan Arsenal. In the meantime Hart had been doing all in his power to get official approval for private Chinese enterprise in foreign-style steamers and had so far succeeded that provisional regulations were drawn up under which Chinese-owned steamers should be allowed to ply. Five years later (1872) Chinese merchants began to avail themselves of the permission given, and the 1867 regulations were then put into force. By these regulations the control of the Inspectorate of Customs was extended to include Chinese-owned foreign-style vessels, the cargoes of which - to secure equality of treatment - were to be subject to the duties levied on similar goods when conveyed in foreign-owned vessels.

By 1885 permission to ply inland was extended to Government registered launches carrying Government stores, and to privately owned launches which had been registered with the Customs, so long as they did not carry cargo or passengers. Later, the control and prestige of the Central Government had been so weakened by the wars with France (1884-85) and Japan (1894-95) that the provincial authorities, in yielding to the exigencies of the times, felt that they were justified in allowing on occasion steam launches to proceed not only from treaty port to inland places,

but also from inland place to inland place. Then came the Treaty of Shimonoseki which, by stipulating for the opening of Soochow and Hangchow as treaty ports, opened the inland waters leading to these places to steam navigation.

So, to regularise unlicensed steam traffic in land, Hart in August 1896 proposed a set of regulations to govern the movements of Chinese-owned steamers. These regulations never became generally effective, but they were put into force at two or three ports and formed the basis for the comprehensive regulations for steam navigation inland which Hart drew up in March 1898, the year in which the Powers, by individual and syndicated bullying, forced concession after concession from the Chinese Government. Among these proposed concessions was that of permitting foreign-flag vessels to trade to inland places, which was demanded by the British Minister as part compensation for China's refusal to accept Great Britain's offer of a guaranteed loan. The other Powers also desired this inland steam traffic privilege, but Hart, who knew more about internal trade-taxing conditions and provincial government arrangements than any of the foreign representatives at Peking, counselled caution. The Tsungli Yamên entrusted him with the drafting of the regulations and when the draft was ready, it was sent to the provincial authorities for their criticisms and suggestions before being approved by the Government and communicated to the Customs for observance.

The British Minister at once raised loud protest against the regulations which limited the privilege to the inland waters of the provinces in which there were Treaty Ports and made a series of demands which delayed the whole matter. Eventually amended supplementary rules were prepared and issued in September 1898. These stipulated that while the steamers plying inland were under the jurisdiction of the Inspector General, the goods carried, unless covered by a Customs Transit Pass - a document certifying that the goods were free from further taxation - were liable to the normal levies of the provincial authorities. As usual the foreign Legations wanted more, and so the whole subject had to be considered again in the 1901-02 negotiations. Then, apart from other changes, the privilege of engaging in inland trade, on Japanese insistence, was thrown open to any steamer capable of navigating the inland water-ways. This removed a requirement of the 1898 regulations that the vessels were not to be of sea-going type.

The Yangtze Regulations had operated successfully since 1862. During this time five new Treaty Ports and five Ports of Call had been opened along the Yantze and trade had grown enormously. So, to meet the altered conditions and calls for revision, Hart consulted the river port Commissioners and, as a result, revised Yangtze Regulations containing many provisions tightening Customs control were put into effect on 1 April 1899.

All this expansion required increased expenditure in the maintenance of the Service and it was found necessary to ask the Government three times between 1893 and 1898 for extra supplementary grants. From 1873 the sterling value of silver fell steadily due mainly to the adoption of the gold standard by nations previously on a silver basis. By 1898 the sterling value of the Haikuan Tael was only about 45% of what it had been in 1873. So far, therefore, as the foreign staff was concerned, the last increased grant was to enable staff salaries to be brought up approximately to the sterling purchasing power which had prevailed up to eight years previously. At this time the staff consisted of 895 foreigners and 4,223 Chinese, including 24 foreigners and 357 Chinese serving in the Postal Department.

## CHAPTER VII

### THE NATIONAL POST OFFICE 1866-1911

The story of the Customs establishment of the postal service makes a refreshing change from the acrimony that accompanied so much of their other early dealings. From time immemorial China had had its I Chan, the courier post used by the Court and the officials and military in the provinces. Commercial and banking interests and the general public at large were served by the Min Chü or popular 'Letter Hongs'. With the opening of the treaty ports local foreign post offices came into being. But with all these services there was no provision for developing unprofitable routes.

Customs involvement began, as so often, with the Treaty of Tientsin. Under Article IV the Government was in effect bound to allow for the carriage of Legation mails, and this meant for the winter months the establishing of a mounted courier service from

Peking to Chinkiang via Tientsin. The Tsungli Yamên entrusted this task to the Customs. Post Offices had to be established at the Inspectorate General in Peking and at the Custom Houses in Chinkiang, Shanghai, Tientsin, Chefoo and Newchwang. Out of this was evolved the Customs Post, and so successful was it that in 1878 China was invited to join the International Postal Union. That step, however, was deferred as the I Chan and Min Chu, both of which were protected by long standing vested interests, and the local foreign postal agencies had not then been absorbed or eliminated.

On the 20 March 1896 the Government finally took the step of issuing a decree ordering the creation of a national Post Office under the direction of the Inspector General of Customs, who thus became Inspector General of Customs and Posts. For practically 30 years this project of a national Post office had been kept steadily in view and advocated, both by Hart in Peking with the Tsungli Yamên and by his able and energetic lieutenant, Commissioner Detring in Tientsin, with the Viceroy Li Hung-chang, who was consistently a warm supporter of the scheme. From the outset the new institution was hampered by lack of funds, and it was not until 1904 that the Government agreed to the issue of a maintenance allowance, which, however, the provincial treasuries affected were never able to pay in full. The new Service had therefore to be run with the strictest economy, and this threw it both financially and administratively on to the existing well-established Customs Service.

A Postal Secretary was appointed to exercise general supervision under the Inspector General and each Commissioner of Customs became ex officio Postmaster in his district. The Customs staff at each port was made responsible for all secretarial and accounting work, while special postal staff, mainly Chinese, were engaged for the work of actually handling the mail matter. Once more the Customs Service loyally accepted the burden and responsibility placed upon it, even though it meant financial embarrassment to most of its members, as the money required for the maintenance of postal work had to be drawn from funds ordinarily used for promotions and retiring allowances.

To secure the co-operation of foreign steamers, Hart proposed to refund to any steamship company half the special permit fees paid to the Customs for work done out of Customs hours in return for their under taking to carry the mails of the Chinese Post office coastwise

without further charge and to refuse such carrying facilities to all others. The offer was accepted by all the companies. This monopoly of steam transport brought about the registration of the Min Chü and finally the sending of their mail matter in 'clubbed mails'<sup>11</sup> through the Post Office.

By 1911 the Postal Service had so developed as to be able to become financially independent, and in that year it passed from under the control of the Customs and became a department of the Yu-ch'uan Pu - the Board of Posts and Communications.

## CHAPTER VIII

### LEASES OF TERRITORY TO FOREIGN POWERS 1885-1900

The cession of Kiaochow on lease to Germany in March 1898, and the opening on 1 July 1899 at Tsingtao of a Custom House - in accordance with the agreement signed on 17 April of that year by Baron von Heyking, Minister for Germany, and Sir Robert Hart, as representative for China - called for special regulations, since the area to be temporarily administered as German territory was to be treated as a special area into which foreign and Chinese goods, with certain exceptions, could be imported free, but were to become dutiable if re-exported into Chinese territory. A further stipulation was that the Commissioner of the Chinese Customs at Tsingtao should be of German nationality, and also, as far as possible, the members of the European staff. The Governor of Kiaochow was to be in formed beforehand of any change in the European staff. Correspondence between the Customs office at Tsingtao and the German authorities and German merchants was to be in German, but Chinese and other languages were also permitted. This 1899 arrangement proved to be impracticable, and as the German colonial authorities were at first unwilling that the Chinese Customs should actually function on territory leased to Germany, Hart pointed out that he had no option but to construct

1 'Clubbed mails' : As a temporary expedient, the Min Chü or popular 'clubs' continued at first to collect letters from their members and deliver them at the place of destination, while transport of the packages containing them was undertaken by the National Post Office for which fees were charged.

a chain of Customs stations on the Chinese side of the land frontier to keep check on all goods entering or leaving the leased territory. Further negotiations resulted in an agreement by which the German Government undertook to facilitate the operations of the Chinese Customs within the German leased territory and to aid in safeguarding the revenue, in return for which assistance the Chinese Government promised to pay the German Colonial Government 20% of the import duty on goods, opium included, collected by the Chinese Customs as the goods passed out of the defined free area in the harbour.

Yet another lease of Chinese territory in this fateful year of concessions (1898) closely affecting Customs operations was that of the Kowloon extension to the Colony of Hongkong. Sir Robert Hart, to whom the Chinese Customs side of the matter was referred by the British Minister, made certain proposals which would have led to the recognition of the Commissioner of Chinese Customs as a Chinese official with the right to maintain an office in Hongkong; that his existing stations should be maintained although inside the leased territory; that the Chinese Customs should have the right to collect dues and duties in Hongkong on general cargo, including opium, shipped to and from China, and that Chinese revenue cruisers should continue their activities within the waters of the leased territory. These proposals were strongly attacked by the Hongkong Chamber of Commerce, the London Chamber of Commerce, and the China Association in London, which latter body, correctly enough, pointed out that 'to authorise the collection in Hongkong of duties, likin included, on all goods and merchandise carried from or to any Chinese ports in Chinese vessels would be to place Hongkong on the level of a Chinese treaty port.'<sup>21</sup>

Hart's proposals were rejected but, thanks to the personal intervention of Lord Salisbury, the Chinese Customs stations, then within the New Territory, were allowed to continue functioning from 17 April for six months, and were finally closed on 4 October 1899.

The Convention for the Extension of Hongkong was signed at Peking on 9 June 1898 and one of its clauses stipulated that within the city of Kowloon the Chinese officials stationed there should continue to exercise jurisdiction, provided that such jurisdiction was not inconsistent with the military requirements of

Hongkong, and that the landing-place near Kowloon city should be reserved for the convenience of Chinese men-of-war, merchant and passenger vessels. Mr. H. M. Hillier, then Commissioner of Chinese Customs for Kowloon, proposed as a possible solution of the Customs problem that a Chinese Custom House might be established at Kowloon city where cargo might be examined and, after payment of China's import duty, be documented as free to any specified treaty port in China. Hongkong officials would have nothing to do with such a proposal and condemned the Convention for agreeing to the residence of Chinese officials at Kowloon city and to the reservation of the landing place there for the convenience of the Chinese vessels. They held that such deference to the supposed susceptibilities of the Chinese Government must act prejudicially upon the minds of all the natives, who under these circumstances would assuredly regard the Chinese rather than the British Government as the predominant Power. A result of all this was that agitators got to work among the Chinese residents in the newly leased territory, and two days before the day set for the hoisting of the British flag over this territory - 17 April 1899 - these residents staged demonstrations against the cession of their homes and farms. The rioting was suppressed by British soldiers and the Hongkong police force. The opportunity was too good to be lost, and on 16 May 1899 Chinese jurisdiction was expelled from the city of Kowloon, and with that expulsion faded the last hope of establishing a Chinese Custom House on Hongkong territory. To protect revenue interests, therefore, new duty-collecting stations had to be established in the estuary of the Canton river, to the east of Mirs Bay, and at Shumchun on the Hongkong / China border. Numerous frontier guard posts had also to be established along the land boundary, which now ran for some 60 miles through rough and hilly country, as compared with 2.5 miles of pre-extension days. To add to the difficulties of controlling this greatly extended line, the waters of the Shumchun River were declared to be British, while the boundary along the shores of Deep Bay and of Mirs Bay was delimited at the high-water mark. Such a boundary was obviously drawn in utter disregard of China's revenue rights and interests, and put a premium on clandestine trading, as it enabled smugglers to lie protected in British waters, or on the British foreshore within a yard or so of Chinese territory, and to slip their goods on land when and where they pleased. The sea line to be patrolled was perforce extended from a little over 20 to some 80 miles, which was another heartening consideration to the smuggling fraternity. The Chinese Customs office,

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2 *British Parliamentary Papers: China No. 1* (1899)  
Enclosure in No. 382 p. 296.



Figure 5. Customs cruiser *Hailings* at Gulangyu, Xiamen (Amoy): Hayward collection, Ha-s008, © 2010 Tita & Gerry Hayward.

## CHAPTER IX

### THE BOXER RISING 1899-1901

however, in the city of Victoria, for the convenience of the trading public was allowed to remain, but on the old status of sufferance only. The situation created by this extension of Hongkong territory was naturally one that caused grave apprehension to those whose duty it was to protect Chinese revenue interests. Mr. Hillier held - and his opinion was shared by many other well-qualified judges - that the Colonial Government had not only failed to carry out the undertaking given by the agreement of 1886 to control the movements of opium, raw and boiled, so that China should suffer no loss to her revenue from smuggling, but had deliberately permitted themselves to rely for one of the most important items of their revenue upon the successful smuggling operations of the opium farmer. The opium farm, with its abuses, continued until the Imperial Decree of 21 November 1906 for the domestic suppression of opium, and the agreement with the British Government in December of that year for the gradual extinction of imports of opium from India brought the Hongkong Government face to face with the fact that revenue from opium was doomed and that other sources of supply would have to be drawn upon.

Three other territorial leases were extorted from China at this time, namely: the Liaotung peninsula, with its harbours of Port Arthur and Talienwan (Dairen), to Russia; Kwangchowwan to France, and Weihaiwei to Great Britain 'for so long a period as Port Arthur shall remain in the occupation of Russia.' Various proposals regarding the collection of dues and duties were put forward by the Russians on the leased Liaotung Territory but, in the event, came to nothing, and in 1904 they were ousted from South Manchuria by the Japanese. It was not till 1907 that arrangements were completed with Japan for the establishing of a Chinese Custom House at Dairen. Nothing definite was called for in the matter of Customs action at Kwangchowwan as trading there was negligible, but such action became necessary in 1929 when the smuggling situation, created by the introduction of a greatly increased national Import Tariff by China, made it imperative to establish Customs stations along the Chinese frontier and to patrol the Chinese sea approaches. Weihaiwei was not developed as a trading centre and, on its rendition to China in 1930, the place was given the status of an open port.

The China-Japan War of 1894-95 marked a turning point in China's modern history. Foreign strangers, whether they were French, Russian, British, German or Japanese, were demanding the construction of trunk railways in all directions, and that the building of such railways should be entrusted to them. They insisted that all the interior waterways should be thrown open to their steamers, and then, not satisfied with these measures of peaceful penetration, proceeded to carve off slices of territory which, though only leased, might easily have been lost forever. How could any patriotic Chinese think otherwise than with bitterness of the rape of Kiaochow, Liaotung, Kwangchowwan, Kowloon and Weihaiwei?

The situation called for constructive measures of reform. But such measures alone would not satisfy the patriots burning with resentment. During those five years of disaster there sprang up not simply a demand for reform, but also a revolutionary movement, which from the outset was steadily anti-dynastic as well as anti-foreign and had to pass through many vicissitudes before a stable system of government was finally reached.

The protagonist of the constitutional reform movement was K'ang Yu-wei, probably the most noted Chinese scholar and publicist of his day, who was able to obtain access to the Emperor and to persuade him to embark on that remarkable but brief campaign to reform from top to bottom the outworn administrative system of his vast Empire. The entire education and examination system was to be reformed on Western lines; all schools reorganised; the armed forces modernised; and freedom of publication granted to the press. Reaction followed swiftly when the old Empress Dowager resumed sway of the Empire and quickly restored the old-time regime.

All this was not conducive to peace and order. Unrest, anti-foreign outbreaks and murders of missionaries took place in various parts of the country. At Peking the persistence of the foreign representatives in reminding the Government that they were accredited to the Emperor and not to the Empress Dowager roused resentment and anti-foreign feeling. Incidents occurred in the capital, with the result that the British and American Legations sent for a guard of marines

from their fleets. All through 1899 there was much unrest; anti-missionary demonstrations as well as riots and armed uprisings - some anti-dynastic, some anti-foreign - took place all over the country, whilst the forced levies and extractions of the Assistant Grand Secretary, Kang Yi, to replenish the depleted Imperial exchequer, inevitably aggravated resentment against the throne.

It was in Shantung, finally, that the conflagration broke out. The lawless, the dispossessed, and all those who had reason to dislike or distrust the foreigner - and they were not a few - began to form themselves into a society under the name I Ho Chuan or Boxers, with the watchword 'Cherish the dynasty and exterminate the foreigner'. By the beginning of May their ranks, which were now swelled by the adherence of thousands of Imperial troops under the command of Prince Tuan, became formidable as they approached the environs of Peking. For the Legations and all foreigners in the capital the situation was clearly one of great gravity, but almost at the last moment the Legations succeeded in getting up from the foreign men-of-war at Taku as Legations' guards a small force of a little more than 400 men in all.

Hart had been aware for many years of the depth of the resentment that was growing among Chinese. As early as 1894 he had forecast some serious outburst against the foreigner. Nor did he think that foreign predomination would last.

In his book *These from the Land of Sinim* written in Peking in August 1900 during the actual course of the siege, he said:

Twenty millions or more of Boxers, armed, drilled, disciplined and animated by patriotic motives will make residence in China impossible for foreigners, will take back from foreigners everything foreigners have taken from China. In fifty years time there will be millions of Boxers at the call of a Chinese Government. There is not the slightest doubt of that.

Fifty years from 1900 takes one to the time of the Korean war.

The story of the siege of the Legations and of their relief does not concern us here, but what was of concern was the action that had to be taken to maintain the unity and integrity of the Customs Service while its chief was beleaguered in Peking and cut off from

all means of communication. Without a recognised head there was danger that the Customs revenue, now pledged for the service of the foreign loans, might have to be sequestered by representatives of the Powers concerned in order not only to secure the service of those loans, but also to prevent that revenue from flowing into the war coffers of the Peking administration. Further, unless the Service was to be allowed to disintegrate, there had to be a recognised head to whom appeal could be made for instructions, and from whom funds could be drawn for the maintenance of offices requiring supplementary grants. At Canton the Viceroy, Li Hung-chang, placed the Custom Houses in Kwangtung under the jurisdiction of Mr. Paul H. King, the Commissioner in Canton, and although this action by itself was separatist, yet it showed clearly that the more enlightened officials did not desire to alter the status of the functions of the Service. The issue, however, had to be settled at Shanghai, where the Consular Body was now in a sense the residuary legatee of the Diplomatic Body at Peking. They accordingly approached Mr. F. E. Taylor, who, as Statistical Secretary, was the only senior representative at Shanghai of the Inspectorate staff, and he, after consulting with Mr. F. A. Aglen, then Commissioner at Shanghai, notified the Consular Body of his willingness to take temporary charge of the Service, provided that his commission was issued by competent and recognised Chinese authority. Thereupon, the Consular Body made representations to Liu Kun-yi, the Nanking Viceroy who, in his capacity as Nanyang Ta-chên, or High Commissioner for Trade for the Southern Ports, addressed to Mr. Taylor, on 14 July 1900, a despatch instructing him to assume temporarily the direction of the Customs Service. This appointment, which was accepted by the Powers, reassured the Service and the general public, and put an end to outside intrigues for the control of the Service.

The Peace Protocol of 1901 was not the outcome of negotiations in the usual sense between the Powers and China, but was rather an agreement reached, after much discussion and bickering, by the Powers and thrust upon China for her acceptance. During all those debates and discussion of differences Hart was ever in the background, never obtruding himself but ready with advice and suggestions when asked for, and exercising at every opportunity a helpful and moderating influence. It was he who was the first to get into touch with Prince Ching and to smooth his way towards acting as plenipotentiary with the Powers. It was he who made arrangements whereby

the Government secured the funds necessary for the resumption of its proper functioning. It was he who was the first to see that measures were taken to forestall the probable starvation of the people in Peking by bringing in supplies of rice and fuel before winter should set in; and it was he who re-established as quickly as possible, and in spite of much discouragement, postal facilities between the disordered North and the rest of the country. In spite of much personal discomfort he decided that it was his duty to remain at Peking, and so be available at any moment the Government might require him; but as all the Inspectorate residences, offices and archives had been destroyed, he instructed Mr. (afterwards Sir) Robert E. Bredon, the Deputy Inspector General, to proceed to Shanghai and to open there temporarily a branch office of the Inspectorate to carry on the current work of the Service, he himself retaining in his own hands the making of promotions and of appointments in charge, and the granting of retiring allowances. This Shanghai branch office continued till the autumn of 1904 when it was dissolved and staff and archives removed to Peking.

By June 1901 discussions at Peking had reached an advanced stage and it was in that month that all the Powers had come to an agreement that the revenues to be reserved for the payment of the Indemnity to be imposed on China should be those of the Native Customs and the Salt Gabelle and the available balance of the Maritime Customs, with an increase of the tariff rates up to a 5 percent ad valorem standard. The so-called Peace Protocol was signed on 7 September, and several of its articles had a direct bearing on the Customs. The fifth stipulated for a prohibition on the importation of arms and of war materials for a period of two years, a prohibition quickly rendered nugatory by the action of certain merchants, some of them nationals of signatory Powers and some not, to whom the selling of arms was simply a lucrative trade too good to be given up for such quixotic reasons as that they might be used for wars and rebellions. The seventh article provided for the creation of a Legation Quarter in Peking, and in the scramble among the Powers for allotments in this spacious enclave, the Customs - which had considerable property from pre-Boxer days in the area now commandeered - found themselves cavalierly pushed on one side. Hart protested, and the British and Americans supported the protest, with the result that most of the lot on which the Inspector General's house formerly stood was restored, while other lots were assigned on which offices and residences for the staff were later erected.

The enforcing of this new rate began on 11 November 1901 and was now made applicable to many classes of goods formerly imported duty-free. This naturally raised many questions and not a little criticism from those who had up till then enjoyed exemption on their goods. The object of the former duty-free rule in the tariff had been to exempt from duty all articles brought in direct for the use of foreigners and not for sale to the Chinese. As foreign residents had grown in numbers both at the open ports and inland, storekeepers had opened shops to sell what foreigners required for use. This was not in keeping with the intention of the old duty-free rule which was never meant to be a source of profit at the expense of the revenue. Matters grew worse when foreign articles imported duty-free, including some not specified in the old duty-free list, were sold by these stores to Chinese.

Many questions were asked by members of the Diplomatic Body. Hart, however, declined to make any change without instructions from the Wai-wu Pu, which had now taken the place of the Tsungli Yamên. The work of a joint commission in drawing up the new tariff and in adjusting its specific rates to a 5% standard was completed in September 1902 and was put into force from 31 October that year. But it took two more years before all but one of the nineteen Powers had notified their acceptance, the Power outstanding being Portugal which at that time (September 1904) was engaged in treaty negotiations with China.

## CHAPTER X

### CONTROL OF THE NATIVE CUSTOMS 1901-1907

Of all the new responsibilities, however, laid upon the Customs Service by the Peace Protocol of 1901, by far the most delicate was that of taking over the administration of the Native Customs within 50-li radius of all the open ports in order that the revenue collected should be used to help meet the Boxer Indemnity payments. Hart of course realised the difficulties. Although he had long cherished the ideal of a single Customs administration for China controlling all Customs affairs both foreign and domestic, he did not allow this opportunity of advancing towards this ideal to get the better of his customary caution. Taking over the Native Customs meant assuming control over a number of widely scattered, decentralised, and semi-independent

trade-taxing establishments, each with its own tariff or tariffs, and each with its own excessive staff, every man of whom had his own vested interests to care for. That staff would have to be dealt with and yet not antagonised. Hart knew, too, that most of these establishments were centuries old and that in the course of their existence they had developed practices, now deeply rooted, similar to those which had flourished in the forties and fifties, and that the elimination of these practices, essential as it was in revenue interests, would be a long and painful process. In fact, these Native Customs establishments were the original Customs establishments in China, which, in the days prior to the Treaty of Tientsin, had dealt with all sea and river borne trade both foreign and domestic, but which since that Treaty had been restricted to the control of native craft trading inland and coastwise.

In his instructions to the ports Hart said 'for whatever work there is to be done, old employees ought by preference to be employed, and the guiding principle must be to retain and not to oust the men of the former regime; in due course they will all fall into line, and only those who are indisputably inefficient or unnecessary are to be dispensed with.' This retention of redundant staff in the early years of Hart's administration of the Native Customs put a severe strain upon the maintenance allowance, which was fixed by the Government at one-tenth of the revenue collected; but the staff was got under control, put on fixed pay - in lieu of the former system of nominal pay and many perquisites - and became gradually less of an incubus through deaths, resignations, and elimination of those proved to be inefficient or corrupt.

The emoluments and prestige of the Superintendents were also affected and Commissioners were instructed to inform them that there was no intention to replace native with foreign staff, that the transfer was forced upon those in authority by the necessities of the situation and the pecuniary difficulties of the Empire, and that the two branches of the revenue department belonged to one and the same family and must work together in harmony in the general interests of officials and people.

Many difficulties were encountered in obtaining control of the 50-li Native Customs collections, and it was 1907 before the Japanese authorities in Newchwang ceased to appropriate this revenue for their own purposes and control came under the Commissioner's supervision. Eventually, between 31

December 1930 and 1 June 1931, all Native Customs establishments and levies, whether within or beyond the 50-li distance from a Treaty Port, were abolished.

## CHAPTER XI

### CONSERVANCY MATTERS: CHINESE CONTROL 1901-1911

Two other undertakings with which the Customs were definitely associated by the terms of the Protocol were the improvement and conservancy of the Haiho and Whangpoo Rivers which led to Tientsin and Shanghai respectively. The arrangements for conservancy called for by the Protocol were later considered to be contrary to the rights and interests of China and were suspended by an Agreement between China and the Treaty Powers, signed on 27 September 1905, which stipulated that the necessary conservancy works along the Whangpoo should be carried out by the Chinese Government who were to supply the funds. The Taotai and the Shanghai Commissioner of Customs were to exercise general supervision and an expert foreign engineer was to be appointed.

After the Revolution of 1911 the Whangpoo Conservancy question became acute and, on the recommendation of Captain W. F. Tyler, then Coast Inspector and Head of the Customs Marine Department, a new Board was constituted by the Government on 4 April 1912, consisting of the Shanghai Taotai (afterwards changed to Commissioner of Foreign Affairs), the Shanghai Commissioner of Customs, and the Coast Inspector (later changed to the Shanghai Harbour Master). The Government continued to make an annual grant but additional funds were raised by a levy of Conservancy Dues on imports and exports which were collected by the Customs. The Board, with the expert guidance of its engineer-in-chief - Mr. H. von Heidenstam from 1910 to 1928, and Dr. H. Chatley from then on - successfully completed the training works which eliminated the former inner and outer bars, and, by dredging, filling-in operations and reclamation work, so regulated the river that its navigation no longer held any terrors for even the largest liners. Throughout the whole history of the Whangpoo conservancy the Customs played a leading role, and on several occasions it was thanks to Customs intervention that the Board was saved from extinction and enabled to carry on its constructive and conserving operations, which helped to make





Figure 6. Customs staff outside Customs House, Nanning, Guangxi province, c.1920:  
Hedglan collection, He01-260, © 2007 SOAS.

Shanghai, in its prime, the fifth largest among the world's harbours in the amount of tonnage entered.

The Peace Protocol had also called for a revision of the commercial treaties, and for the necessary negotiations China appointed as her representatives two Chinese officials with plenipotentiary powers and two British Commissioners of Customs as assistant delegates. To these later was added Sir Robert Bredon, Deputy Inspector General, also as an assistant delegate. The first Treaty to be negotiated was that with Great Britain, who had sent out Sir James L. Mackay (afterwards Lord Inchcape) as special commissioner. The British treaty was signed on 5 September 1902, and both the American and the Japanese on 8 October 1903. No further treaties were completed as, in view of the 'most favoured nation' clause, the prospect of dealing with a further 16 Powers was not a reassuring one. One of the points covered by the treaties was the abolition of likin. When Japan insisted that this must be accepted by all the Powers which enjoyed the 'most favoured nation' treatment, the Chinese plenipotentiaries, who were well aware of the difficulties and dangers involved in the abolition of likin, decided to risk no further complications and allowed all negotiations to lapse. It was not till China had recovered her tariff autonomy a generation later that likin was finally abolished.

There were also many clauses bearing directly on Customs procedure, such as bonding of cargo, the opening of new ports, protection of foreign trademarks *et al.*, as well as changes in the rules dealing with inland waters steam navigation.

Part of the aftermath of the cataclysm of 1900 was a complete reshaping of the Government's foreign office. As a first step in this direction the former Tsungli Yamên disappeared, and its place was taken by a Ministry of Foreign Affairs under the title Wai-wu Pu, a title which the Revolution of 1911 changed to Wai-chiao Pu. This change was one which closely concerned the Customs Service. The old-time Yamên in its nature, personnel and functions had been as much, if not more, a Cabinet Council as a Board of Foreign Affairs, and it was with the Yamên that the Inspector General conferred and corresponded, and it was from the Yamên that he took his instructions. It was this direct relationship between the ministers of the Yamên - usually comprising some of the foremost statesmen of the Empire - and their Inspector General of Custom that enabled the former to consult the latter on matters, strictly speaking, outside the Customs

sphere but bearing on the wider issues of China's international relations and the economic developments of the country. Again and again Hart's advice had been sought on such questions and so often was that advice found to be sound and in China's best interest that he gradually acquired an advisory influence that was commanding. But in a world of flux it was not a position that could last indefinitely, and so it was in Hart's case.

As early as 1895 the Customs revenue in its entirety became pledged to meet the service of foreign loans raised to pay the war indemnity to Japan, leaving practically nothing for the use of the Government in the administration of the country. From this point of view, the Service, in the eyes of many Chinese, had been transformed into a debt-collecting agency for the benefit of foreign money-lenders, while the position of the Inspector General and of his foreign subordinates in the Service was being safeguarded, again for foreign interest, by special clauses in loan agreements. Critics regarded this development as incompatible with the full sovereignty of the State as it tied the Government's hands in their future selection of an occupant of the Inspector General's position, and it tended to perpetuate the tenure of that position by a foreigner. Further, through a succession of Agreement, the Service had been made use of to take over and interfere with special trade-taxing establishments which hitherto had remained as preserves of the provincial authorities. The fact, too, that the task of organising and administering the national Post office had been entrusted to the Service did not make for its popularity. Other powers given to the Customs, such as their part in the peace negotiations of 1900 and the transfer to their administration of the intra-50-li Native Customs caused disquiet among many of the leading officials in the government, among whom were men who had been educated abroad, mainly in American universities and who were well-versed in Western theories and forms of government. Prior to the Boxer uprising, they had not been afforded much opportunity of placing their knowledge at the service of their country, as they had not graduated under the old-time examination system. This was swept away by the Peace Protocol settlement, and at once a demand sprang up for men trained on Western lines.

One of these, Tang Shao-yi, had been created Customs Taotai at Tientsin by Yuan Shih-k'ai, the new and progressive Viceroy of Chihli, who was determined that picked men from among these returned students were given government posts where they could

exercise their ability and training to the best advantage. Suddenly, on 9 May 1906 came an Imperial Decree appointing Tieh Liang, President of the Ministry of Finance, to be High Controller General, and Tang Shao-yi, by that time Vice-President of the Ministry of Foreign Affairs, to be Associate Controller General of Customs business and Customs Staff, and on 22 July 1906 a new bureau or department was created, to be known as the Shui-wu Ch'u, of which the two High Controllers General were to be the heads. To carry on the routine work of the new bureau a certain number of senior and experienced Chinese clerks were detached from the Customs Service, and their knowledge and training were invaluable to the Government in getting the new bureau into working order.

Among foreigners this move on the part of the Chinese Government created considerable perturbation, and all manner of dire consequences were predicted by diplomats, merchants and bondholders, while representations on the subject were made by all the leading Legations. On the authority both of the Wai-wu Pu and of the newly constituted Shui-wu Ch'u, Hart notified the Service that the relations between the port Commissioners and their staff were to remain unchanged, as were also those between the Inspector General and his port Commissioners: the only difference was that, while his duties as Inspector General continued as before, he no longer reported direct to a Ministry but to a bureau which had affiliations with two Ministries, namely the Shui-wu Ch'u. Hart's quiet and loyal acceptance of the change - a change in the making of which he had not been consulted in any way - reassured the Service; but it was clear that the old order had changed, yielding place to the new. The Government had demonstrated to all whom it might concern that their Customs Service, on which the Powers were relying for the effecting of their policies in China, was neither a super-board nor an instrument simply to serve foreign interests, but a Chinese Governmental department, directly subordinated not to a Ministry but to a special bureau. The further development of the Service, and especially the liberal treatment of the staff under Hart's immediate successor, F. A. Aglen, soon showed how baseless were all the fears evoked by the creation of the Shui-wu Ch'u.

Manchuria, home of China's reigning dynasty, had loomed large during the Boxer trouble, and as Russia made no secret of her designs in that region, and as such designs clashed with Japanese interests, a struggle was inevitable and finally took the form of

the Russo-Japanese War of 1904-5. During 1903 Hart had been negotiating with the Russian Minister for the opening of a Custom House at Dalny (Talienwan) but the discussions ended with the outbreak of war. Dalny - thenceforward to be known as Dairen - was occupied by the Japanese to whom the lease of the Liaotung Peninsula, which included Dairen, was transferred by the Treaty of Portsmouth, signed on 5 September 1905.

Hart's negotiations were continued but this time with the Japanese Minister, and resulted in an agreement, signed on 30 May 1907, for the establishment of a Chinese Custom House in Dairen under a Japanese Commissioner and with a staff to be composed as far as possible of Japanese. Harbin and four other ports in Manchuria were eventually opened to trade, and in 1911 and 1913 agreements were reached for the Chinese Customs control of traffic over the Yalu River.

## CHAPTER XII

### DEATH OF HART 1908-1911

The negotiations for the establishment of Custom Houses at Manchurian ports were the last acts of Hart's official life. By the beginning of 1908 he was in his seventy-third year, having spent 49 years in the Chinese Customs, 46 of which had been as full Inspector General. He was to be spared for almost four more years, during which time he still held his post as Inspector General, but those years were to be spent on furlough in England for the first time in some 26 years. Early in April 1908 he proceeded home on leave and was succeeded by the Deputy Inspector General, Sir Robert Bredon, as Officiating Inspector General. Bredon was well qualified so far as practical experience and knowledge of Customs procedure and requirements were concerned, but when the Government, on Hart's suggestion, finally decided in March 1910 to appoint someone who should definitely succeed Hart as Inspector General, the choice fell on Mr. (afterwards Sir) Francis A. Aglen, then Commissioner at Hankow, who had gone through a long training at the Inspectorate in various capacities and had been in charge of all the major ports. Aglen was created Deputy Inspector General by the Shui-wu Ch'u on 23 March 1910 and, after Sir Robert Hart's death in 1911, he was given the full rank of Inspector General on 25 October 1911.

In April 1908, during the Bredon regime, a Customs College was created for the training of selected Chinese candidates for the Indoor Staff of the Service. Besides outside teachers, both Chinese and foreign, other members of the Customs staff were selected to devote either their whole or part time to teaching such subjects as foreign languages and Customs procedure. The College remained in Peking till 1935 when the students then in residence were removed to Shanghai to become part of the College established there in 1930 by the Kuan-wu Shu (the later name for the Shui-wu Ch'u) for the training of Chinese Tidewaiters and Chinese officers for the preventive fleet. Hart has long cherished the hope that the T'ung Wen Kuan, for which he had done so much, would in time turn out Chinese Assistants for the Indoor Staff, but in this hope he had been disappointed, partly because these graduates were wanted for other posts, and partly because the higher Chinese authorities at the time were not in favour of appointing Chinese to the higher posts in the Customs Service.

On 14 November 1908 the Emperor Kwang Hsu passed away; the Empress Dowager died the next day; and on 10 October 1911 the accidental explosion of a bomb at Hankow precipitated the long-planned revolution which marked for China the beginning of a new political era.

In the stormy dawn of this new era Sir Robert Hart passed away on 20 September 1911 at Marlow, in Buckinghamshire, full of years and honours. He had given his life to China, and with unswerving singleness of purpose had devoted all his great gifts to her service. He had watched the country of his adoption emerge from her ancient state of seclusion into the modern age of untrammelled intercourse with all the nations of the earth, and at every stage of this painful progress he had always been ready to render the aid of sound guidance. He was a staunch upholder of the desirability of a united China, and as the trusted head of the Customs Service he had the satisfaction of seeing that Service, as its activities spread throughout the Empire, recognised not only as the sign and symbol of the Central Government's authority but also as, in a very real sense, a unifying agency. Holding the position he did, and having constant intercourse, both social and official, with men of every nationality, a man of Hart's ability could scarcely fail to be a thorough cosmopolitan. An international outlook, indeed, was essential if the Service were to be run without needless friction and misunderstanding, and Hart saw to it that men selected for responsible

posts either had or acquired this outlook. Long before internationalism had become a recognised ideal in world politics, Hart had already built up, with men from almost every nation in the world, the first great international service, and had inspired the men of this Service with the ideal of loyalty to China and the furtherance of China's interests.

Unsought - for Hart was dowered with that sublime humility which is so often the crown of genius - honours came to him in profusion. China showered distinctions on him, including such rare honours as the Red Button of the First Class, the First Class of the Second Division of the Order of the Double Dragon, Ancestral Rank of the First Class for Three Generations, the Peacock's Feather, and, most coveted of all, the title of Senior Guardian of the Heir Apparent. His own country gave him the GCMG and a baronetcy while, of his numerous other honours conferred by other countries no fewer than 11 were grand crosses.

## **CHAPTER XIII**

### **AGLEN 1911-1927**

Hart was succeeded in 1910 by Mr. (later Sir) Francis A. Aglen as Officiating Inspector General and this rank was made substantive by Imperial Rescript on Hart's death in 1911. He took office shortly after the Imperial Government had decided to assume more direct control of the Customs Service by the formation in 1906 of a Customs Board, the Shui-wu Ch'u. Though alarming at the outset, in the event this action caused little change in the normal running of the Service by the Inspector General.

From 1910 to 1927 he served successive Governments with sympathy, and understanding. His period of office included the Revolution of 1911, which destroyed the Ch'ing Dynasty, and the subsequent years of disorder and partition by warlords during which there were times when the writ of the incumbent 'government' in Peking did not run far beyond the city wall. In fact, it sometimes did not run even within the wall; on several occasions the authorities could not pay the local police force, and had to instruct Aglen to find the cash to do so. He found it, and Customs staff distributed bags of silver dollars to the police stations in the capital.

Thus the Customs became more and more China's

## CHAPTER XIV

### MAZE 1928-1943

financial bulwark, being entrusted by the government with the sole administration of her loan service, both external and internal, the result of which was to maintain China's Indemnity and Foreign loan payments during the years of chaos and so preserve her credit. Such an arrangement also permitted the otherwise insolvent Peking Government to represent China internationally throughout this period. As an emergency measure this departure from Hart's practice of leaving such matters in the hands of the Chinese Superintendents was justifiable, but its indefinite extension ultimately occasioned serious offence such as occurred in 1923 when the *de facto* Canton (Kuomintang) Government demanded a proportionate share of the current revenue collected throughout their domain, a proposition which was refused by the Treaty Powers. Thus, from being a system of trusteeship instituted to meet special circumstances, custodianship of the Customs revenue became, from the standpoint of South China, interference in Chinese domestic politics.

So, within the space of a few years, and in the most unlooked-for way, Aglen had come to occupy a position not only more difficult and responsible than Sir Robert Hart's, but fundamentally different from it.

There were further disagreements with the Government in Peking on this control of State funds. To these was presently added the necessity of deciding whether to obey the instructions of the Chinese Government to collect surtaxes on foreign trade. Although the surtaxes had been approved in principle during the Peking Conference of 1925-26, their immediate levy was opposed by the Treaty Powers. In the circumstances Aglen considered Customs compliance would be unjustifiable; he refused and was dismissed.

The Chinese Government, however, was well aware of all that he had done for it and, with traditional courtesy, gave him one year's leave of absence. Honours and decorations conferred on him by the Chinese and by foreign governments included the GCMG and KBE. His place was temporarily taken by Mr. A. H. F. Edwardes, a British Commissioner, who was appointed Officiating Inspector General.

At the beginning of 1929 Edwardes resigned and the British Commissioner at Shanghai, Hart's nephew, Mr. (later Sir) Frederick W. Maze was appointed Inspector General by the new National Government. At the same time the Inspectorate General, which had been so long at Peking, had to be moved south following the transfer of the capital to Nanking. For the sake of general convenience the offices were established at Shanghai.

One of the first steps taken by Maze, on instructions from the Government, was to throw all senior ranks open to qualified Chinese members of the Service, thus attaining the objective which had been the ultimate aim of his predecessors. A Chinese was immediately appointed to the post of Chinese Secretary in the Inspectorate General, a position which was the main liaison point between the Customs and the Government and had always previously been held by a foreign Commissioner. Foreign recruitment was ended except when men with special qualifications were needed. As a result there was a gradual decrease in the foreign staff. Staff totals in 1929 were 1,059 foreigners and 7,564 Chinese, while the corresponding figures for 1937 were 720 and 8,894.

Various measures were taken to train young Chinese for responsible positions in the Service. A College was established in Shanghai by the Kuan-wu Shu (the new name for the Shui-wu Ch'u) to train Tidewaiters for the Outdoor Staff and also officers for the preventive fleet. The students preparing in Peking for the Indoor Staff were removed to a new branch of this College five years later. Travelling Scholarships were also provided to enable picked men to study the Customs system in major foreign countries. On their return they were required to submit a report on their findings with suggestions for any changes they thought should be made in China. Partly as a result of these suggestions the rank of Deputy Commissioner, which had hitherto been confined to the Indoor Staff, was introduced for certain branches of the Outdoor Staff. But as time went on, it became questionable how long the existing division between Indoor and Outdoor Staff would remain appropriate. Foreigners for the two branches had usually been recruited with different educational and social backgrounds, a sharp distinction being kept between the two. But with the new Chinese staff it was different. Such was the demand from young Chinese

to enter the Service that sometimes it was found that two brothers were serving, one in each branch.

After obtaining Tariff Autonomy in 1929, China quickly imposed much higher Tariffs in place of the old 5% rates, and Native Customs duties and Likin were abolished. As a result of this policy the preventive forces had to be greatly strengthened. Hitherto they had been little needed except in the immediate proximity of foreign territory such as Hongkong. A fleet of fast preventive cruisers was built to operate from the major coast ports, supplemented by a chain of Customs wireless installations on shore. Special preventive departments were also established in the major Custom Houses to cope with the vastly increased work.

A Preventive Law was promulgated by the Government in 1932 laying down maximum and minimum penalties for various offences, which superseded the 1868 Rules for Joint Investigation in cases of Confiscation and Fine. Provision was made to appeal to a Board with members appointed by the Kuan-wu Shu. Some foreigners were not too happy at what they thought was a loss of extraterritorial rights, but in the event the Law, which did not greatly change existing Customs practice, was enforced without difficulty.

Much work was done by the Customs to facilitate navigation of shipping. Rocks were successfully blasted to improve the channel at Kunglingtan, one of the most dangerous rapids on the Upper Yangtze. Three wireless beacons were installed at the mouth of the Yangtze to guard shipping from the Amherst Rocks in the approach to Shanghai, while fresh steps were taken to regularise pilotage throughout China.

The dominant feature of the Maze period was, however, the growing menace of Japan. Manchuria was seized in 1931 and made in to the puppet state of Manchukuo. All control by the Chinese Customs there was quickly lost. In 1935 the Japanese extended the invaded territory by occupying a large area south of the Great Wall, including Tientsin, which was declared a demilitarised zone. A so-called autonomous regime was later established there. Although the Customs were nominally allowed to operate as usual, no preventive vessel or Customs guard was allowed to carry arms. Smugglers, on the other hand, who were mostly Korean, whether coming by train, ship or truck, bore firearms which they did not hesitate to use and openly boasted that in any fracas they would

be protected by the military. And indeed the Japanese authorities stated that it was illegal for the Customs to interfere with goods once inland and that should they try to do so, they would be held responsible for any incident that might occur. As a result the Customs were powerless and smuggled narcotics and high-duty-paying goods poured into North China in vast quantities.

This posed such a serious threat to China's economy that emergency measures had to be taken. Customs Stations were hastily established at strategic points outside the occupied zone throughout the north and all foreign goods not covered by proof of duty payment were confiscated. By this means the flood of over-land smuggling was gradually checked. But in coastal regions further south, smuggling by small boats manned by Koreans or Formosans stretched Customs preventive forces to the utmost. Serious conflicts and injuries were frequent.

Total war in China, although undeclared, broke out in July 1937. The Japanese, in addition to military invasion of Shanghai and the north, imposed a naval blockade of the whole coast and occupied the main ports. Trade could only be carried on by foreign-flag vessels and by junks and other small native craft that defied the blockade. The Customs continued to operate as best they could. But preventive ships had to be laid up - many in fact were seized - and the Japanese made increasing demands regarding disposal of the revenue collection. They also put much pressure on the Inspector General to appoint Japanese to senior Customs positions. Maze resisted as far as he was able, relying on the major foreign powers to give him some support. Further difficulty was caused by the establishment of another puppet regime at Nanking with the apparent intention of controlling the whole of the occupied territory. There was a real fear that they might issue instructions which he could not obey and so lead to his replacement and the break-up of the Service.

As the war proceeded certain members of the Chinese Government (which was then in Chungking) wanted Maze to abandon the occupied ports and withdraw all Customs staff to new stations inland, while the Inspectorate General should be transferred from Shanghai to Chungking. Maze pointed out that to do so would merely facilitate Japanese economic control over the whole area they occupied. In the end, the British Commissioner at Shanghai was not replaced by a Japanese until November 1941 and of the sixteen

Customs establishments which had been occupied by the time of the outbreak of the Pacific war, only four had Japanese Commissioners.

When the World War started in the Far East in December 1941, the Inspector General and all the staff of Allied nationality in occupied areas were removed from office and later interned. Maze himself was repatriated in 1942 and retired from the Service in the following year after reporting to the Government in Chungking. Among his many honours he received the KCMG and KBE.

## CHAPTER XV

### LITTLE 1943-1948

An Inspectorate was quickly set up in Chungking under Mr. C. H. B. Joly, British Commissioner, who was appointed Officiating Inspector General to take control of all Customs offices and staff at places not occupied by the Japanese. At the same time many new Customs posts were established at strategic points in the interior of the country to prevent smuggling of prohibited exports that would be helpful to the enemy and to collect a 'War-time Consumption Tax', especially on goods that filtered through from the occupied zones. In course of time a number of the Chinese staff, including some of the most senior, escaped Japanese surveillance and made their way into Free China. But the majority of the staff, having been caught at Japanese ports, were forced to carry on more or less normal duties there.

In the middle of 1943, following Maze's resignation and Joly's retirement, Mr. Lester K. Little, an American, (who had been placed under house arrest by the Japanese at Canton where he was Commissioner, and who was later repatriated), was appointed Inspector General and took up his post in Chungking in the autumn. By this time inflation was becoming a serious threat to the efficiency of the Service, and Little's first task was to arrange with the Chinese Government to issue more generous allowances based on the price of rice and other main necessities to enable the staff to carry on. The situation at that time was precarious and it was mainly due to the efforts of Little and his staff, both Chinese and foreign, that the Service avoided dissolution.

With the sudden end of the war, Customs functions had to be resumed at once, as far as possible, at all

the occupied ports, and the Inspectorate moved back from Chungking to Shanghai, reopening on 1 January 1946. The first two post-war years found the Customs, technically speaking, in excellent shape. Revenue increased rapidly at the principal ports. The Custom Houses on Taiwan again came under Chinese control after fifty years of Japanese rule. Purchase of surplus United States naval vessels replaced the Customs fleet of revenue cruisers and light house tenders, almost all of which had been lost during the war. A reunited and experienced staff faced the future with confidence in the capacities of the Service. Plans for further progress, however, were blighted by the continuing inflation which eventually went completely out of control, with serious effects on staff morale.

The Government's reliance on the Customs Service was once again shown in late 1948 when the Inspector General was instructed to transfer the national gold reserves to Taiwan. These transfers, which amounted to over 200 tons of gold and silver, were made in small Customs vessels, although the Government had available large, well-armed naval vessels, including the 10,000 ton cruiser '*CHUNGKING*' - which later defected to the Communists.

Finally, in 1949, came the Communist advance from the North. Shortly before their arrival in Shanghai Little received orders from the Minister of Finance to select Customs (Chinese) staff to accompany him to Canton and then to Taiwan. Here a Customs Administration was set up which has continued to function under a series of Chinese Inspectors General, all of whom graduated from the parent Service in China. Little accompanied them to Taiwan and retired in 1950, though holding the appointment of Adviser to the Ministry of Finance until 1954. The remaining foreign staff received their pensions from the Government in Taiwan and then scattered to the four points of the compass, but the Chinese Customs Service there continues to function as a purely Chinese organ under a Chinese Inspector General on similar lines to those followed for over 100 years.

The character of the Chinese Customs is best described in the words Sir Robert Hart wrote to Lord Salisbury in 1885, 'The Service which I direct is called the Chinese Customs Service but its scope is wide and its aim is to do good work for China in every possible direction'. This was the directive that guided all members of the Service throughout its long history.

# APPENDIX I

## STAFF

The Inspector General's staff consisted of a number of Secretaries of Commissioner's rank – Chief, Chinese, Audit, Staff, Financial, Personal, Preventive, Tariff and Non-Departmental - each of whom had an Assistant Secretary of Deputy Commissioner's rank and an appropriate staff. Of the same standing were the other two Inspector General's Secretaries - the Statistical Secretary at Shanghai and, until 1948, the Non-Resident Secretary in London. The Statistical Secretary was the head of a large printing and publishing establishment in Shanghai, while the Non-Resident Secretary in London examined European candidates for the Indoor Staff (after nomination by the Inspector General), procured stores and acted generally as the Inspector General's agent in Europe.

The Service was organised into three departments: (1) Revenue, (2) Marine, (3) Works. The Revenue Department was subdivided into Indoor, Outdoor, and Coast Staffs; the Marine Department into Coast Inspector's, Harbours, Lights and Marine Staffs; the Works Department into Engineers, office and Outdoor Staffs.

**Indoor Staff.** The Indoor Staff consisted of Commissioners, Deputy Commissioners, Assistants and Clerks (the last two graded in a number of ranks). In addition to other qualifications, a knowledge of Chinese up to certain defined standards was required of all foreign members of the Indoor Staff. The Commissioner was in administrative control of all departments at his port but, as regards revenue matters, he acted in consultation with his Chinese colleague, the Superintendent of Customs. The main work of the Indoor Staff was the assessment and collection of the revenue, issuing documents for shipping or cargo, imposing fines or confiscation for smuggling or infringement of regulations, and compiling returns. In addition it assisted the Commissioner in the administrative control of the other Service departments.

**Outdoor Staff.** The Outdoor Staff was divided into Executive and Examination branches, the head of both (under the Commissioner) being the (Chief) Tidesurveyor who was usually also Harbour Master. The Executive branch comprised Chief Tidesurveyors, Tidesurveyors and Boat Officers; the Examination branch Chief Appraisers, Appraisers, Chief

Examiners, Examiners and Assistant Examiners; there were also several ranks of Tidewaiters. The Outdoor Staff was concerned principally with the control of shipping and cargo, examining and appraising goods and preventive work.

**Coast Staff.** The Coast Staff consisted of the officers and crews of the revenue steamers and launches, which were employed variously in revenue and prevention work, in light-tending, in work connected with buoys and beacons and aids to navigation generally, and in surveying. In 1920 there were 4 revenue steamers, 6 revenue cruising launches, 32 revenue launches, and 4 sailing craft employed in the above duties. In 1937 there were 4 Lights Tenders, 26 Preventive Ships, 169 Launches and 2 Fire-floats.

**Coast Inspector.** The Coast Inspector was, under the Inspector General, and subject to the administrative control of each Commissioner in his own port, the head of the Marine Department. His functions, formerly advisory only, became to a great extent administrative. Subject to the above limitation, he was in charge of the revenue steamer flotilla, the lights service, aids to navigation generally, of meteorological work, of surveying and the production of charts, and of any other matter where expert nautical assistance was required.

**Works Department.** The Works Department was under the control of the Engineer-in-Chief assisted by a staff of Engineers, Architects, and Clerks of Works. The authority of the Engineer-in-Chief, originally confined to lights construction, building and machinery, was later extended to all Service buildings, both as regards construction and upkeep. Administratively, vis-a-vis the Inspector General and port Commissioners, the Engineer-in-Chief was in the same position as the Coast Inspector.

# APPENDIX II

## SHIPS

Name	Built	Tons	
<i>FEI HOO</i>	1868	319	
<i>LING FENG</i>	1868	319	
<i>PING CHING</i>	1880	819	lights tender
<i>POO TOO</i>	1883	103	
<i>CHUENTIAO</i>	1888	379	
<i>LI KIN</i>	1888	270	
<i>KAI PAN</i>	1888	270	
<i>FEE CHEU</i>	1887	1034	cable ship
<i>LIUHSING</i>	1902	724	lights tender
<i>HAIHSING</i>	1924	1,960	lights tender
<i>CHUNHSING</i>	1927		



Figure 7. The Customs House, Shanghai, 1893: Henderson collection, DH-s095,  
© 2012 Felicity Somers Eve.

# APPENDIX III

## FLAGS

When preparing for the departure of the Sherard-Osborn flotilla from England for China in 1862, H N Lay, Inspector General of the Chinese Customs, felt, that to ensure the avoidance of capture or detention on the journey out, it would be necessary for the vessels to fly an officially recognised flag. He wrote to Lord Russell and suggested, as an ensign, a yellow diagonal cross on a green ground, as such a flag would 'appear to be one least likely to be mistaken for that of any other nation'. The British Naval authorities, however, declined to recognise this ensign until its adoption had been approved by the Chinese Government, and enquiries were made of Prince Kung whether the Chinese authorities in Peking would sanction the adoption of the flag in question. China at that time had not a generally recognised national emblem and this led the Imperial authorities to decide that the national flag of China should be a triangular one, the ground to be yellow and the design to be a dragon with its head towards the upper part of the flag. In October 1862 an Imperial Edict was issued to this effect, and Lay was instructed that the flag to be flown by the fleet he had purchased was to be a rectangular one having a green ground with a yellow diagonal cross, bearing in the centre a yellow triangle with an Imperial dragon in blue. Under this ensign the Sherard-Osborn fleet came out to China, and with the dissolution of the fleet it, too, disappeared. But the memory of it survived, and so when four years later (1867) a distinctive emblem was required to mark Customs cruisers and floating property, it was natural that the green flag with the yellow St Andrew's Cross should be revived.

This green flag with the yellow cross was flown on Customs cruisers and floating property up till the spring of 1873 when it was discontinued in favour of the dragon ensign - a triangular yellow flag with a red sun and a blue (some say green) Imperial dragon, which, in its turn, was replaced by a rectangular one of the same colour and bearing the same design.

After the Revolution of 1911 the picturesque dragon flag as a national emblem was abolished and the 5-barred Republican flag, with its horizontal bars of red, yellow, blue, white and black, was proclaimed to be the national flag. Later, in 1912, and on the Inspector General's representations, the Government decided that a distinctive flag should be flown by Customs

cruisers, and thus the old green flag with the yellow diagonal cross came officially to its own again, this time as a jack in the upper canton of the Republican five-barred flag. After the victory of the Nationalist forces in 1928, the national flag became one of a red ground with a blue jack in the upper canton, the jack bearing in its centre a white sun with 12 white rays based on a blue ring encircling the sun. As a special distinction to establish the identity of Customs craft &c, a device was permitted which took the shape of a circle with green ground and yellow diagonal cross placed in the fly of the national emblem.

In 1931 the Government decided to replace this latest flag in favour of the national flag with four wavy green bands running across the red ground. The Customs green jack with the yellow diagonal cross had been consistently flown at the bow in our cruisers and launches, and was to be continued.

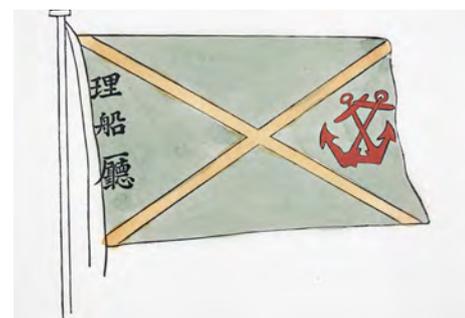
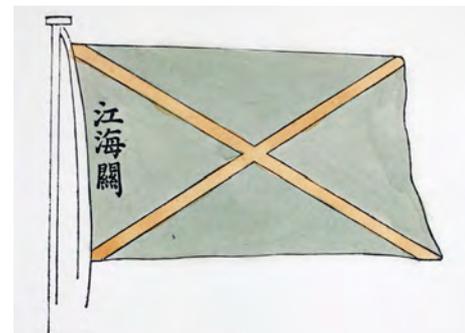
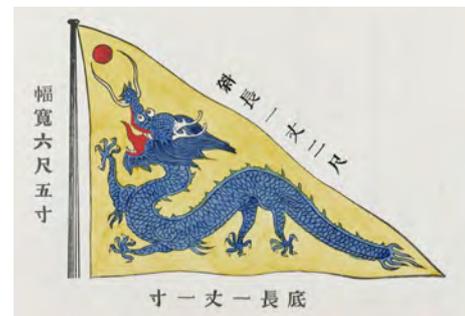


Figure 8. Early Customs flags, from *Inspector General's Circulars: First Series, 1861-1875* (Shanghai: Statistical Department of the Inspectorate General, 1879).

## Customs Stations, 1854–1949

This map does not reflect the changing political realities affecting the activities of the service. Between 1895 and 1945, no stations were operated in Taiwan, when it fell under Japanese colonial control. After 1931–32 no stations were operated in Japanese-occupied Manchuria, while between 1937 and 1945, during the Japanese invasion, a number of new inland stations were temporarily opened. Between 1883 and 1895, the service oversaw the creation and operation of the Korean Customs Service.

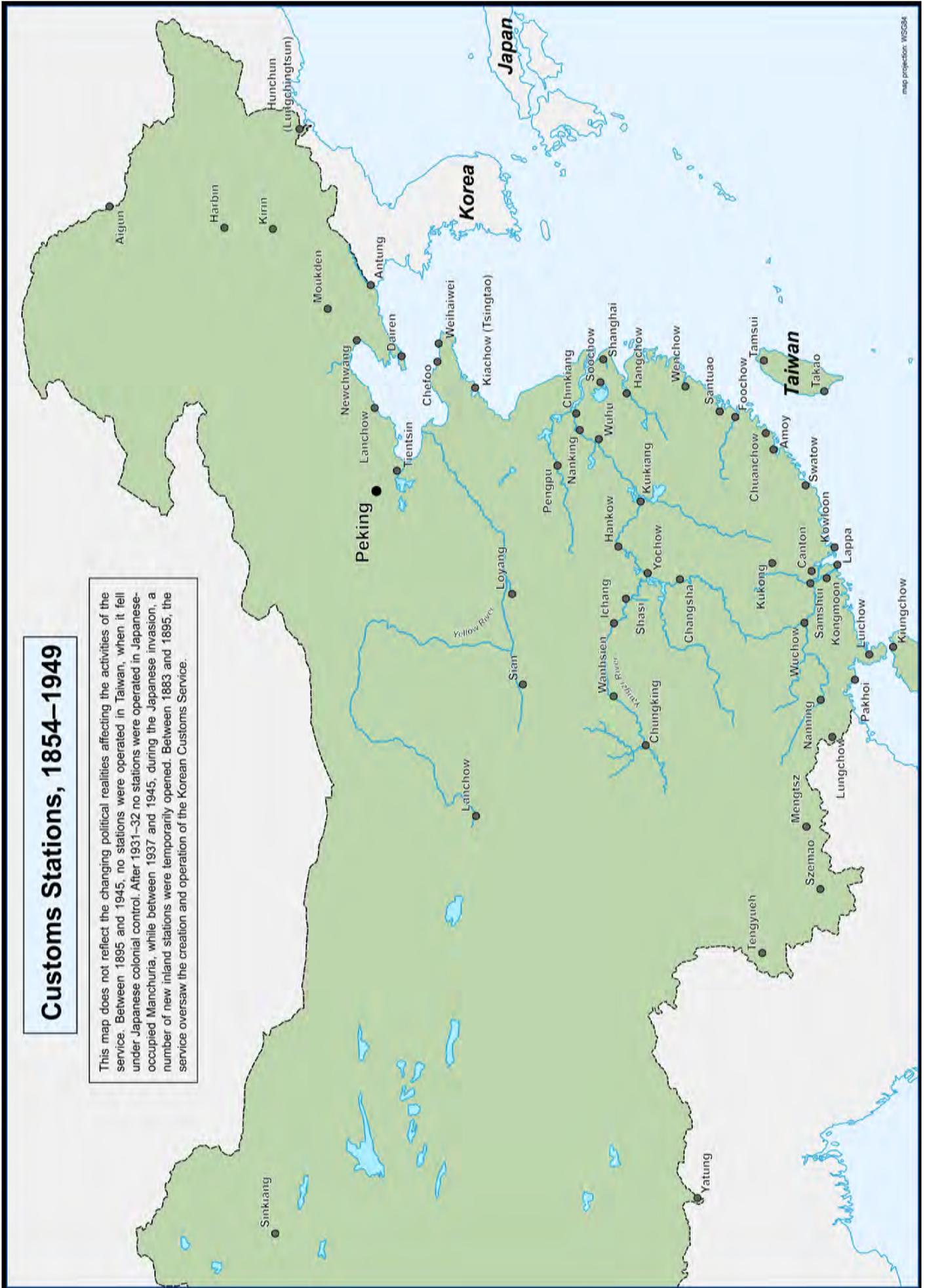




Figure 10. Plan showing positions of Light-stations on the Coast of China, from *List of Lighthouses, Light-vessels, Buoys, Beacons etc., on the coast of China, 1948* (Shanghai: Statistical Department of the Inspectorate General of Customs, 1948).

## APPENDIX IV

### LIGHTS

Prior to the establishment of the Customs Marine Department in 1868, aids to navigation on the coasts and rivers of China, were few and primitive, and careful study of records and various early sailing directions lead to the conclusion that night navigation was not often resorted to by the Chinese in those days. The only native lighthouse of which a specific description survives was one on the southwest extremity of Fisher Island, in the Pescadores, off Formosa. This was a light of oil lamps, in a lantern made of oyster shells, exhibited in a Tower 30 feet high and said to have been built by public subscription in 1760 or 1770. Its effective range was estimated at 1 mile.

With the coming into being of the Chinese Customs Service, the question of converting old coast lights or building new ones was given a high priority. At a later period the lighting, buoying and beaconing of the Sungari, Yangtze, Pearl and West Rivers were undertaken by the Marine Department and functioned under the River Inspectorates concerned.

Of the many distinguished officials whose services are best recalled are Mr. David Marr Henderson, the first Engineer-in-Chief, who built the majority of the coastal lighthouses and who is reported to have been personally responsible for the construction of more lighthouses than any other individual engineer; and Captain A. M. Bisbee, the first Coast Inspector, who was closely associated with Mr. Henderson and his work.

A detailed account of the lights, as they were in 1932, is given in the *Coastwise Lights of China* by Mr. T. R. Banister, Deputy Commissioner of Customs, from whose narrative these notes have been abstracted.

The principal lights are shown opposite.



Figure 11. Lighthouse, Turnabout Island, near Fuzhou, c. 1873, Henderson Collection, DH-s006, © 2012 Felicity Somers Eve.

## GLOSSARY OF TERMS

- 1 BOXERS A revolutionary anti-foreign group, owing its name to the character 'ch'uan' meaning fist, in its Chinese name (I Ho Ch'uan), and to its practice of pugilism.
- 2 BRITISH SETTLEMENT At some Treaty Ports, British or European enclaves grew up and these were termed settlements.
- 3 COMMISSIONER The senior American representative in China between 1842 and 1858; later the highest rank of the Service.
- 4 LIANG KIANG The Kiangnan Provinces, i.e. Kiangsi, Kiangsu and Anhui.
- 5 LIKIN Native provincial tax on goods in transit.
- 6 PLENIPOTENTIARY After the Treaty of Nanking, 1842, the senior British official in China was entitled Plenipotentiary and conducted British diplomatic and commercial relations with China from Hongkong, of which colony he was also Governor. After the Treaty of Tientsin in 1858, the normal system of Ministers resident in the Chinese capital was adopted.
- 7 SHUI-WU CH'U later  
KUAN-WU SHU Chinese Government Department of Customs Affairs.
- 8 SHUPAN Chinese Architect.
- 9 SUPERINTENDENT OF  
CUSTOMS Chinese official appointed to serve as colleague of the Commissioner of Customs at the different ports.
- 10 SYCEE Silver or bullion in small bars, of ten known as 'shoes'.
- 11 TAIPING REBELLION The Taiping's were a religious group who raised a rebellion in South China in the early 1850s. At one time it was thought that they had a Christian background.
- 12 TAO T'AI A senior Government official in charge of a district in Imperial times.
- 13 TIDESURVEYOR Senior officer in charge of Customs boarding officers, etc., (name taken from British Customs).
- 14 TIDEWAITER Literally waiting for ships to come in on the tide; junior Customs officer for boarding, searching, etc.,( name taken from British Customs).
- 15 TREATY PORT The ports opened to foreign trade under the various treaties with China were termed 'Treaty Ports'.
- 16 TSUNG LI YAMÊN  
(1861) later WAI-WU PU  
(1901) later WAI-CHIAO  
PU (1911) Ministry of Foreign Affairs.
- 17 T'UNG WEN KUAN A college in Peking where foreign languages, etc., were taught, (started in the mid-nineteenth century).



Figure 12. Shanghai Custom House, opened 1927, from *Shanghai of Today*, 2<sup>nd</sup> edition, 1930.



Figure 13. Basil Edward 'Dick' Foster Hall: Hayward collection, Ha-s004, © 2010 Tita & Gerry Hayward.

## **B. E. Foster Hall:**

### **A biographical note**

**by Robert Bickers, with the assistance of  
Gerald Hayward and Tita Hayward**

Basil E. Foster Hall, always Dick, was born in London on 24 March 1894, the youngest of five children of stockbroker, John Foster Hall, and Mabel Mary Louise Ellissen. After education at Blundell's School in Devon 1908-13 he joined the Chinese Maritime Customs in October 1913, resigning from his position in the London Office of the service in March 1915 to join the army. He was commissioned on 20 March 1915 in the 4th Battalion, East Surrey Regiment, transferring to the 2nd Battalion in France in September 1915, and seeing service, and being mentioned in despatches, in Salonika from December 1915. He was officially demobilised in April 1919, with the rank of Lieutenant, having served as Brigade Intelligence Officer, and was re-engaged by the Customs in August 1919.

Ill-health – malaria – initially prevented Foster Hall from sailing to China, but April 1920 he was appointed to the Lappa Customs station at Macao. After service in Tianjin he became Acting Assistant Personal Secretary at the Inspectorate-General in Peking from 1922-25, after which his career took the standard, peripatetic course of Customs Service Indoor Staff, who were moved from post to post quite frequently. He was in charge ad interim in Hankow in 1935, and secured his first Commissioner post at Chefoo in 1937. There and at Canton, where he was posted from November 1938, he had to negotiate the predicament of heading branches of a Chinese state agency in cities occupied by the Japanese invaders. After a year's leave he was posted to Shanghai in 1939, and appointed Officiating Tariff secretary at the Inspectorate-General in 1940, a post he was holding at the onset of the Pacific War on 7 December 1941.

Along with all allied nationals in Customs employ, Foster Hall was discharged on 15 December 1941, by the newly installed Japanese Inspector General. As a result of his wife's poor health, the couple secured places in the only large-scale exchange of British nationals in August 1942. Foster Hall resumed employment with the Customs, and took over the London Office as Non-Resident Secretary. In August 1946 he was transferred back to China as Personal Secretary to the last foreign Inspector-General, L. K. Little, leaving the country on leave in December

1947, and formally retiring in October 1948.

Foster Hall returned to East Asia in 1949 to work for the American Insurance Group in Hong Kong until finally retiring in 1954. The Service retained a strong hold on him, and on 12 July 1954 he organized a party in Hong Kong to mark the centenary of the establishment of the Foreign Inspectorate, attended by two dozen former colleagues living there, and composed a commemorative article published in the South China Morning Post that same day. In 1965 Foster Hall set in train a sequence of events that led in part to the composition of this pamphlet. An issue that had surfaced when L. K. Little assumed his position in China's war-time capital, Chongqing, in 1943, was that his predecessor, Sir Frederick Maze, had had Robert Hart's extensive correspondence with Non-Resident Secretary James Campbell removed from the custody of the London Office and donated to Queen's University Belfast. After some dispute this was returned, and deposited in the London branch of the Hongkong & Shanghai Bank. In 1965 Foster Hall drew Little's attention to the fact that it was still there.

For the best part of 10 years after 1975 he became the Service's most diligent and committed historian. Little had drawn the Hart letters to the attention of the American China historian, John King Fairbank, who had long held an interest in the origins and early history of the Customs Service. For several years after 1968 Foster Hall worked in libraries and archives in London to provide much of the detailed information that underpinned the development of a richly annotated edition of the Hart-Campbell correspondence that was published by Harvard University Press in 1975. Along the way he also drew Fairbank's attention to the re-emergence of Hart's private journals, and R. R. Campbell's memoir of his father, James Duncan Campbell. Murray MacLehose, later governor of Hong Kong, first suggested that Foster Hall compose a history of the service, the need for a short account of which was reinforced at a 1972 symposium at the National Maritime Museum (whose deputy director had twice seen service on the Royal Navy's China Station in the 1930s).

Some foreign staff in the Customs had secured nominations to apply to join because they had existing family connections with China. Foster Hall's application was an accidental one (he had already applied to join the Indian Police Service, and been rejected by the Royal Marines on the grounds of colour blindness), and was contingent on a chance

encounter at a family tea party, and on making a good impression on presenting himself in person at the London Office. Foster Hall married Rhonwen Howard Rees (1895-1970), daughter of missionary William Hopkyn Rees on 29 April 1922 in Tianjin, where she was teaching. Their first daughter, Margaret, was born in Peking in 1924, and died in Tianjin at the age of two, and a second, Patricia was born in Shanghai in 1931. Rhonwen's China connections were strong. As she put it in 1947, as the couple were about to leave, 'I was born in Peking; I married in China; my children were born in China; my friends are all in China.' One sister had married the Dutch Sinologist, J. J. L. Duyvendak, another also married into the Customs Service, a third married the China missionary R. K. Evans. Their father was Professor of Chinese in London University from 1921 until his death in 1924.

Dick Foster Hall died in Tunbridge Wells on 3 May 1975. As the original introduction by Lt Commander David Watkin Waters indicates, he had completed the text of this pamphlet, but it was left to Cecil Pouncey, one of the network of former senior Customs staff who had helped Foster Hall with the Hart correspondence project, to bring it to press. Foster Hall's legacy to scholars of modern Chinese history is an understated one, overshadowed not least by John Fairbank, who directed the 'Hart project', securing the funds and interest which brought to publication not only the correspondence, but two volumes of Hart's private journals. But alongside Kay Bruner and Elisabeth Matheson, Foster Hall's contribution, working in the British Library, the Public Record Office and other libraries and archives, as well as tapping the memories and expertise of his former colleagues, was essential. The motivation on Foster Hall's part was one shared by L. K. Little, and also by Little's predecessor, Maze, despite the latter's inter-related desire for personal aggrandizement, that a resurgent, revolutionary China, nationalist or communist, would strike the contribution of Robert Hart out of the history of the Service, and with it too the story of the thousands of foreign staff who also served.

#### Postings:

London Office, 1913-15; London Office, 1918-20; Lappa (Macao), 1920; Tientsin, 1920-22; Peking, 1922-25; Service Unattached Leave (S.U.L.), 1925-26; Shanghai, 1926-27; Chefoo, 1927-28; Swatow, 1928-30; Canton, 1930-31; S.U.L., 1932-33; Shanghai, 1932-33; Hankow, 1933-35; Chefoo, 1935-37; S.U.L., 1937-38; Canton, 1938-39; Shanghai,

1939-41; London, 1942-46; Shanghai, 1946-47; S.U.L., 1947-48.

#### Promotions

1913, 4th Assistant; 1918, re-appointed; 1920, 3rd Assistant; 1920, 2nd Assistant; 1924, 1st Assistant; 1928, Chief Assistant; 1931, Deputy Commissioner; 1937, Commissioner; 1939, Administrative Commissioner; 1940, Tariff Secretary; 1942, Non-Resident Secretary; 1946, Personal Secretary.

Sources: personal information; Foster Hall papers; Second Historical Archives of China, Customs Service Archive, 679(1), 10996, 'Mr B.E.F. Hall's Career'; Leeds University Library, GB 206 Liddle Collection SAL 026 (First World War papers, Salonika Campaign).

## **My life and work in China, 1913-48**

### **B. E. Foster Hall**

My acquaintance with the Far East was brought about by a tea-party which an old aunt gave for some youngsters from Tonbridge School, one of whom happened to be the son of a member of the Chinese Maritime Customs Service, at the time working in that Service's London Office. This small boy said something about his father wanting a junior in that office, to replace a man who had been transferred to China, and this chance remark resulted in a visit to Westminster the next day, an interview, a written application to the Inspector General in Peking, a qualifying examination three weeks later, and appointment to the Service within a month of having first heard of it!

After eighteen months in that office and then four years in the army, followed by a further six months in the London Office while recuperating from some years of malaria, I set sail for China in June 1920 and entered an amazing world of colour, interest and movement.

My first appointment was to the small Portuguese colony of Macao, a promontory jutting out from China and about 40 miles south-west of Hongkong. This was a sleepy little place and one of the chief money-making industries was gambling which

attracted many Hongkong people at week-ends. The work of the Customs, however, was confined to the office work in a Custom House situated for better convenience inside the Portuguese Colony, and the practical business of collecting revenue at stations located around the Colony and on the Chinese side. It was an interesting place from which to study Far Eastern life for the first time, and to get on with lessons in the Chinese language. As we were a Chinese Government civil service, the knowledge of Chinese was essential, and it was compulsory to obtain three Certificates before one could reach the highest ranks. As they spaced out these Certificates in order to stop a clever linguist from running through the lot and then putting his books on one side, it took seven years to obtain Certificate A which was the highest.

...

## Smuggling

I will now say a few words about smuggling, with particular reference to China in the days before the Communists came to power. So far as I know, it is doubtful whether such a thing as smuggling exists nowadays, as the Communist regime has put an end to graft and crime, so much so that such aberrations don't enter peoples' minds. A tip is regarded as a bribe, and visitors to modern China say that they can leave their cash around in their rooms without any fear of losing it. A lost wallet will always be returned in tact.

In the pre-liberation days high duties made smuggling a most profitable profession, and its control and suppression called into action a constant exercise of wits and ingenuity. One's mental picture of a smuggler is a picturesque gentleman with top boots, jersey and tasselled cap, dashing ashore in a sailing boat with kegs of rum and bales of tobacco. Nowadays he is a very ordinary-looking individual with, probably, an automatic pistol in his pocket which he doesn't hesitate to use and with an organisation behind him backed by high finance.

In one port where I was stationed, the smuggling ring was said to employ 300 people to watch the Customs offices between that port and Hongkong. These people were boatmen, villagers, probably my own servants, and others in close touch with the Customs organisation, and it was next to impossible for a raid to be planned without news being flashed by telephone, telegraph and lantern to the threatened spot. It was like this all over China and large-scale operations

were so heavily protected that we were only supposed to have seized a small percentage of what actually got through. This might not be altogether true, but the fact remained that modern smuggling was a pretty formidable problem.

The risks were large, as the Customs had cruisers and fast launches, but the profits were enormous and the big rings had an insurance system by which the cargo owner was indemnified in full if losses occurred. In some places a convoy of motor trawlers, called by us puff-puffs from the noise they made, used to leave Hongkong by night and dash across the sea to the China coast, and they never minded if a few were captured, as the success of the others paid handsomely for the expedition.

The Customs in our days were called on to watch for so many things, such as ordinary merchandise of high value, gold, silver, narcotics, opium etc., and these were often found in the most unlikely places. Here are some examples:

- Merchandise in 'hides' constructed in vessels;
- Packets of sewing needles in the ash of ships' cooking stoves;
- Silk etc. underneath the coal in ships' bunkers;
- Narcotics in tin drums, inserted into liquid pitch or chemicals in drums, so that when the stuff hardened, the drugs were successfully buried;
- Opium made up into the shape of candles, with proper candle-ends protruding from either end of the packet;
- Opium made up as kernels in groundnuts;
- Opium made up as false calves to peoples' legs;
- Opium made up behind the glass of mirrors;
- Opium made up in hollowed-out firewood;
- Opium made up in wheelbarrows, all the woodwork of which had been ingeniously hollowed out;
- Opium sewn into carpets;
- Gold bars carried in specially contrived trousers beneath the Chinese long gown;
- Gold bars hidden in a saucepan or soup which a cook on a liner was stirring on the stove.

Some years ago I read that the American Customs were puzzled by the number of diamonds that were flooding the market, when none had been declared at the ports of entry. After an investigation, it was noted that a lady of striking appearance but with a glass eye was in the habit of travelling between Holland, France and America, and an examination of the glass eye proved that it was filled with diamonds on a homeward trip. The American Customs are said to employ college graduates of both sexes to frequent

fashionable jewellers and silk shops on the Continent, and to report home when an American is seen to purchase anything that would be highly dutiable on entry into the USA.

To a great extent the Customs look to help from an unpleasant class called 'informers' who will give away any secrets for money. In Macau a man once gave away his own father to the Customs!

Customs work always tends to make Customs officers unpopular with the public. However, this is nothing new, as St. Matthew was first found at the receipt of Custom (incidentally he must have been a tax collector at an Octroi or inland collectorate) and he is referred to as a publican. Publicans were always associated with sinners and the best people did not know them. I don't think we have ever been able to live down this reputation, though we have plenty of provocation from people who, either knowingly or through ignorance, used to break Customs regulations. One can go on for ever, quoting examples, but time does not permit.]

## **Life in China**

Macao was a sleepy old Portuguese colony where nothing out of the ordinary ever happened, though I was presented with a silver tea service within a few weeks of my arrival, with a suggestion that I should initial some papers which would permit the movement of a large consignment of opium to some unlawful destination. Though I hated to do it, I returned the tea service!! It was an unwritten rule in our Service that we could never accept presents from merchants, to avoid being beholden to them, and it was heart-breaking sometimes to have to refuse gifts of silks, embroideries, foods and drinks. In spite of her pleas, I never let my wife see what bundles and parcels contained – it would have been all the harder to say NO!

My Commissioner in Macao was Col. Hayley Bell, whose daughter Mary married John Mills, the actor. Other Commissioners later on were, by virtue of our international nature, French, Belgian, Italian, American, Portuguese, Russian, British, Norwegian and Swedish, and so we all became very internationalized.

## **Homes**

We nearly always had lovely homes and gardens, as the Chinese Customs and the British Consuls were

usually the first to select good building sites in the newly-opened ports, and the Customs in particular built near or overlooking the harbours for which they were responsible. The Service provided many servants such as gardeners, coolies, water-carriers and night-watchmen, while we employed our own cooks and 'house-boys'. In one port we had an old night watchman who invariably turned in and put out his light as soon as he saw we have put ours out. Personally he could not have tackled a child, but he was our insurance and by contributing a small amount to the Burglars' Guild, he kept trouble away!

## **Conditions of service**

These were, to some extent, hard as there was no first home leave until after six years of service, and subsequent periods were of five years. Up to about 1910, leave was on the basis of two years on half-pay, but it was then changed to one year on full pay. This, of course included two sea voyages of approximately six weeks each, but it was really too long for comfort as, after five years' absence, one's friends and relations had rather drifted away and I personally used to feel that I wanted to get back to work after such a long time away. And, of course, living far away in China for such long periods gave one a sort of expatriate feeling.

We were kept on the move, as there was an official dislike of leaving us in one port for too long, for fear that we might get lethargic and allow the merchants to put a spoke in the Customs wheel by selecting their own cargo for examination etc. So my average stay in any one port was about a year and three quarters. We did not get official furniture until we became Deputy Commissioner, and so all earlier transfers meant packing up the entire house – furniture, glass, crockery, books, etc. – and moving by rail and/or steamer, sometimes for one thousand miles or so. Of course, we always moved into official quarters but, all the same, it was an expensive and troublesome business, and breakages were usually heavy.

Our most wonderful period was the three years we spent in Peking, a gorgeous city full of historical interest as well as beauty. Then it was encircled by walls 40 feet high and 30 feet broad, but the Communists have just destroyed them, to my mind a dreadful outrage. Our years in North China were marked by almost constant fighting between rival War Lords who controlled large areas and always wanted more. Our honeymoon was spent at a seaside resort

about ten hours by rail from where we lived, and the line was cut after our train had passed. Fighting ensued for some weeks, and we were lucky to find a coal boat to ring us back.

...

My toughest assignment was in 1935 when I was appointed to be Commissioner in a North China port, Chefoo, at a time when the Japanese were trying to soften up China in preparation for their offensive which started in 1937 and which led to the Great War in the Far East. I had to watch over 500 miles of coast with a small fleet of 14 preventive cruisers and motorized junks, and every seizure made by these ships brought the Japanese Consul into my office. The Japanese were encouraging and giving protection to smugglers of every description and they were also running drugs into China to debilitate the country folk.

My little Consul knew no English and so he relied on his Secretary who had slightly more acquaintance with the language, though he always carried a dictionary to which he constantly referred. The Consul had an approach which never varied. He started off with his complaint which lasted for ages. I then stated my case, whereupon he repeated all that he had previously said and showed that neither he nor the Secretary had listed to a word of my own statement. This used to go, literally, for hours, and all I could do was to exercise patience and to keep my temper under control. On several occasions threats were made to beat me and my wife up, to kidnap my daughter, to blow up my Customs House etc. and one attempt to do this last was only avoided by my notifying the Consul officially that I knew what was planned and that I would hold him responsible for anything that might happen. And nothing did happen, other Japanese authorities having been warned to head off the gang!! This sort of thing went on for two years, and though I rather enjoyed the excitement, my health suffered to some extent and I was glad that my leave was due in 1937.

My wife and I were in Shanghai when the Pearl Harbor disaster took place and, as I was in Chinese Service, we were turned out of our official house. We found a small flat but the general strain, coupled with an intensely hot summer, proved too much for my wife who was taken away to hospital. The Japanese, who had internments in mind, did not want to have invalids on their hands, and so we both were found places on the one and only repatriation ship which

took us to England in 1942 via Lourenco Marques in East Africa where we were transshipped to a P&O liner for Liverpool.

## **Post-War**

After the War, I returned to China in 1946 and soon found myself involved in the fantastic crash of local currency which came about from a number of causes. I was Commissioner of Customs in Shanghai and my pay, in Chinese currency, was 13 million dollars a month, the same as my Chinese colleague. At that time a pedicab coolie on the streets could easily earn 8 or 9 million dollars! Luckily we foreigners were given a sum in sterling which went into our banks at home but there were several penalties if we were found to be transferring it out to China, such as dismissal, loss of pension, or being handed over to the Chinese courts. So we had to be careful.

When we went to the bank to cash a cheque we took a zipper bag and were given bundles of banknotes about 13 inches long, tied up with string and bearing a stuck-on label at each end which certified that each bundle contained 1 million dollars. We never opened them up but just gave an armful to our cook who rushed off to buy some form of food before the next price rise came along. I have my final despatch which me that the sum of \$582,326,000 had been placed to my a/c in Shanghai, and with this sum I bought a rug which has since been valued at about £200!! It was a fantastic experience.

On retiring from China, I had to look round for something to do, and I was offered a job with an American Insurance Group if I cared to learn the profession. So I went to school for almost two years and then worked in Hong Kong for five years before making a final retirement and settling down at home. So I feel that I have had an interesting life and, if what I have said today has been of interest to you, ladies, I will be pleased to answer, if I can, any questions you may care to ask.

# BIBLIOGRAPHY OF WORK ON THE HISTORY OF THE CHINESE MARITIME CUSTOMS

Since the pamphlet was published in 1975, a significant amount of new research has been undertaken into the history of the Maritime Customs and the lives of its staff and their families. The list below provides a selection of more recent works, a list of known memoirs, and a selection of the historical works commissioned by the Maritime Customs itself, notably during the Inspector-Generalship of Sir Frederick Maze (1929-43). Fuller lists can be found on the following websites:

‘History of the Chinese Maritime Customs Project’: <<http://www.bristol.ac.uk/history/customs/>>

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Figure 14. Amoy Customs staff, c.1870s: Hayward collection, Ha-n05,  
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