

TARIFF RELATIONS

Treaty signed at Peking July 25, 1928, abrogating certain provisions of treaties of commerce and navigation; exchange of notes at Nan-king February 6, 1929

Ratified by China November 30, 1928

Senate advice and consent to ratification February 11, 1929

Ratified by the President of the United States February 13, 1929

Ratifications exchanged at Washington February 20, 1929

Proclaimed by the President of the United States February 23, 1929

Entered into force June 20, 1929

Superseded November 30, 1948, by treaty of November 4, 1946¹

45 Stat. 2742; Treaty Series 773

TREATY REGULATING TARIFF RELATIONS BETWEEN THE UNITED STATES OF AMERICA AND THE REPUBLIC OF CHINA

The United States of America and the Republic of China, both being animated by an earnest desire to maintain the good relations which happily subsist between the two countries, and wishing to extend and consolidate the commercial intercourse between them, have, for the purpose of negotiating a treaty designed to facilitate these objects, named as their Plenipotentiaries:

The President of the United States of America:

J. V. A. MacMurray, Envoy Extraordinary and Minister Plenipotentiary of the United States of America to China;

and the Government Council of the Nationalist Government of the Republic of China:

T. V. Soong, Minister of Finance of the Nationalist Government of the Republic of China;

who, having met and duly exchanged their full powers, which have been found to be in proper form, have agreed upon the following treaty between the two countries:

ARTICLE I²

All provisions which appear in treaties hitherto concluded and in force between the United States of America and China relating to rates of duty

¹ TIAS 1871, *post*, p. 761.

² For an interpretation of art. I, see exchange of notes, p. 722.

on imports and exports of merchandise, drawbacks, transit dues and tonnage dues in China shall be annulled and become inoperative, and the principle of complete national tariff autonomy shall apply subject, however, to the condition that each of the High Contracting Parties shall enjoy in the territories of the other with respect to the above specified and any related matters treatment in no way discriminatory as compared with the treatment accorded to any other country.

The nationals of neither of the High Contracting Parties shall be compelled under any pretext whatever to pay within the territories of the other Party any duties, internal charges or taxes upon their importations and exportations other or higher than those paid by nationals of the country or by nationals of any other country.

The above provisions shall become effective on January 1, 1929, provided that the exchange of ratifications hereinafter provided shall have taken place by that date; otherwise, at a date four months subsequent to such exchange of ratifications.

ARTICLE II

The English and Chinese texts of this Treaty have been carefully compared and verified; but, in the event of there being a difference of meaning between the two, the sense as expressed in the English text shall be held to prevail.

This treaty shall be ratified by the High Contracting Parties in accordance with their respective constitutional methods, and the ratifications shall be exchanged in Washington as soon as possible.

In testimony whereof, we, the undersigned, by virtue of our respective powers have signed this Treaty in duplicate in the English and Chinese languages and have affixed our respective seals.

Done at Peiping, the 25th day of July, 1928, corresponding to the 25th day of the 7th month of the 17th year of the Republic of China.

J. V. A. MACMURRAY [SEAL]
TSE VEN SOONG [SEAL]

EXCHANGE OF NOTES

The Counselor of the American Legation to the Minister of Foreign Affairs

NANKING

February 6, 1929

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EXCELLENCY:

Referring to Article I of the treaty signed by Mr. T. V. Soong, Minister of Finance, on behalf of the National Government of the Republic of China and Mr. J. V. A. MacMurray, American Minister to China, on behalf of

the United States, at Peking, on July 25, 1928, I have the honor to state that it is the understanding of my Government that it was, and is, the intention of the High Contracting Parties to agree to the abrogation of certain provisions of existing treaties, namely, provisions relating expressly and specifically to rates of duty on imports and exports of merchandise, drawbacks, transit dues, and tonnage dues in China, and to provide that in relation to these matters neither of the High Contracting Parties shall in any way discriminate against the other or its nationals or articles grown, produced, or manufactured in its territories or imported or exported by its nationals as compared with treatment accorded to any other country or its nationals or to articles the growth, produce, or manufacture of any other country, it being the intention of the Contracting Parties that in relation to these matters there shall be complete, reciprocal, and unequivocal most favored nation treatment.

I have the honor to request an assurance on your part that this is also the National Government's understanding of the purport and intent of this treaty.

I avail myself of this opportunity to extend to Your Excellency the renewed assurance of my highest consideration.

MAHLON F. PERKINS
Counselor of Legation

His Excellency

Dr. C. T. WANG,

*Minister for Foreign Affairs
of the National Government
Nanking.*

The Minister of Foreign Affairs to the Counselor of the American Legation

[TRANSLATION]

MINISTRY OF FOREIGN AFFAIRS
NANKING, *February 6, 1929*

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SIR:

I have the honor to acknowledge the receipt of your note of today's date, reading as follows:

[For text of U.S. note, see above.]

I hereby confirm that such is the National Government's understanding of the purport and intent of this treaty.

I avail myself of this opportunity to extend to you the renewed assurance of my high consideration.

CHENGTING T. WANG

MAHLON F. PERKINS, Esquire,
Counselor of the American Legation.