THE FIRST MARITIME AND COMMERCIAL TREATY BETWEEN SPAIN AND CHINA IN 1864, AND THE MULTILATERAL TRADE SITUATION BEFORE THE SIGNING OF THE AGREEMENT

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ABSTRACT: The history of trade relations between China and Spain dates back almost two thousand years to the Silk Road era. During the era of the Maritime Silk Road, the Spanish Muslims became the "window" through which Chinese civilization spread to Europe: the Chinese were the first to invent paper and gunpowder, as well as Chinese technologies. The Hispano-Christian world was strengthened during the Reconquest and, thanks to the Crown of Aragon, it was incorporated into Mediterranean and Atlantic trade, later expanding towards the eastern Mediterranean. Thus, commercial contact was established with important centers such as Alexandria and other cities. This expansion was a major driving force in the Mediterranean trade revolution of the 13th and 14th centuries, which contributed significantly to the increase in trade with the East. Following the age of the geographical discoveries, China and Spain became two of the most powerful empires in the world, one in the Orient and the other in the Occident. In this paper we will present and analyze the treaty signed between China and Spain on the subject of Maritime and Commercial Law during the end of the Qing dynasty (from the middle of the 19th century to the beginning of the 20th century) and the development of the maritime trade between the two countries, such as: The Spanish court policy for China during 16th century; The multilateral trade opening of the China-Philippines-Mexico-Spain Route; The trade on the Multilateral Route of China-Philippines-Mexico-Spain between the 16th and 19th century; The trade among China, Philippines and Spain during the 19th century, and the related historical documents.

RESUMES: La historia de las relaciones comerciales entre China y España se puede remontar a la era cuando empezó la Ruta de la Seda, casi dos mil años antes. Durante la época de la Ruta Marítima de la Seda, los musulmanes españoles se convirtieron en la "ventana" de comercio a través de la civilización china que se extendió en Europa: los chinos fueron los primeros que inventaron el papel y la pólvora, así como las tecnologías chinas. El mundo hispano-cristiano se fortaleció durante la Reconquista y, gracias a la Corona de Argón, se incorporó al comercio mediterráneo y atlántico, expandiéndose posteriormente hacia el Mediterráneo oriental. Así, se estableció el contacto comercial con centros importantes como Alejandría y otras ciudades. Esta expansión fue uno de los principales motores de la revolución comercial mediterránea de los siglos XIII y XIV, que contribuyó significativamente al aumento del comercio con Oriente. Tras la época de los descubrimientos geográficos, China y España se convirtieron en los dos imperios más poderosos del mundo, uno en el Oriente y otro en el Occidente. En este trabajo, presentaremos y analizaremos el tratado firmado entre China y España en materia de Derecho Marítimo y Comercial durante el final de la dinastía Qing (dese el mediado del siglo XIX hasta el principio del siglo XX) y el desarrollo del comercio marítimo entre ambos países, como: La política de la Corte Española para china durante el siglo XVI; La apertura comercial multilateral de la Ruta China-Filipinas-México-España; El comercio en la Ruta Multilateral China-Filipinas-México-España entre los siglos XVI y XIX; El comercio entre China, Filipinas y España durante el siglos XIX y los documentos históricos relacionados.

KEYWORDS: History of trade relations, China and Spain, Maritime and Commercial Law, Commercial contract, Spanish Policy, Multilateral trade, Commercial treaty.

PALABRAS CLAVE: Historia de las relaciones comerciales, China y España, Derecho Marítimo y Comercial, Contrato comercial, Política Española, Comercio multilateral, Tratado comercial.

1. Introduction

The history of trade relations between China and Spain dates back almost two thousand years to the Silk Road era. At that time, the appreciation and pursuit of Chinese silk were already present in Spain during the process of romanization and urbanization. In addition, it was the Chinese silk and Roman gold coins, which were made of Spanish precious metals, that two together provided the material basis for the development of the Silk Road trade. During that period, the emperor Augusto made Tarraco (now Tarragona), on the Mediterranean coast of Spain, the center of his empire, so that, it was not only the Silk Road extending to Spain, but also the most prosperous period of the Silk Road trade, which was facilitated by the Chang'an (now Xi'an) and Tarraco at the very center.

During the era of the Maritime Silk Road, the Spanish Muslim became the "window" through which Chinese civilization spread to Europe: the Chinese were the first to invent paper and gunpowder, as well as Chinese technologies, such as sericulture, rice cultivation and sluice gates and species, like lemons and citrus; even scientific ideas as alchemy, which were introduced to Europe via Spain.

The Hispano-Christian world was strengthened during the Reconquest and, thanks to the Crown of Aragon, it was incorporated into Mediterranean and Atlantic trade, later expanding towards the eastern Mediterranean. Thus, commercial contact was established with important centers such as Alexandria and other cities. This expansion was a major driving force in the Mediterranean trade revolution of the 13th and 14th centuries, which contributed significantly to the increase in trade with the East.

At that time, the Chinese Song and Yuan dynasties were undergoing great commercial development and the trade took off in a good way in the Western Pacific and the Indian Ocean. With Alexandria and others Middle Eastern cities being important intermediaries, their markets underwent a process of globalization that greatly facilitated cultural exchange between Orient and Occident. The Chinese inventions, such as the U-shaped horseshoe, the harnesses of Chinese cavalry and the shipping technology, were introduced to Europe and were considered valuable contributions from Orient to Christian Europe. These contributions also had an impact on Spain, as Christopher Columbus' navigation would not have been possible without the compass and the multi/masted ship. During the same period, the travelers and missionaries from the Spanish-Christian world, contemporaries of Marco Polo, also travelled to China. During the 15th century, Clavijo, who represented King Henry III of Castile, arrived in Samarkand and was received in audience by the Emperor Tamerlane of Central Asia. On his return to Spain, he wrote the book The Embassy to Tamerlane. The analyses which he made in that book was on the geopolitical relations between Orient and Occident, as well as his descriptions of the situation in China, were instrumental in the Spanish Crown's decision to give support to Columbus in his maritime project, which included China as its destination.

Following the age of the geographical discoveries, China and Spain became the two of the most powerful empires in the world, one in Orient and the other in Occident. When the China-Philippine-Mexico-Spain trade route began, the Chinese product with good quality and low cost, as well as Hispanic metals, were prominent

factors in the formation and development of the world market, positioning China and Spain at the propitious moment for a later transition to an industrial society, prior to the contemporary one. However, due to the prohibition of maritime trade or exchange with foreign countries, applied by the Ming and Qing dynasties in China, characterized by isolation on the one hand, and the Spanish Crown, with its mercantilist policy of defending the interests of the Sevillian monopoly of merchants on the other hand, both countries missed opportunities for development at a critical juncture in human history. In the 19th century, the China-Philippines-Mexico-Spain multilateral trade was the thermometer that reflected the glory and crisis of both empires.

It was led by Spanish missionaries to the cultural exchange between Orient and Occident after the geographical discoveries' era. They are, in fact, the precursors of such exchanges. Their excellent historical, cultural and religious studies on China made Spain an important center of research on Chinese civilization before the 18th century, and to a certain extent, inspired the Enlightenment in Europe.

After the Opium War, the Qing dynasty and Spain conducted diplomatic negotiations on the Chinese workers in Cuba and signed two treaties. Nowadays, as we review this unwelcome page with the contemporary perspective in the relations between the two countries, which will make us appreciate the current friendship.

Following the establishment of diplomatic relations between the People's Republic of China and the Kingdom of Spain in March of 1973, the top Chinese and Spanish leaders have exchanged official visits on several occasions, establishing a firm and healthy foundation for the development of fruitful bilateral relations. Presently, the economic and trade cooperation as well as cultural exchanges are extremely satisfactory thanks to the governmental support of both countries.

This paper will present and analyze the treaty signed between China and Spain about Maritime and Commercial Law during the end of the Qing dynasty (from the middle of the 19th century to the beginning of the 20th century), and the related historical documents.

2. The Multilateral trade on the Route between China and Spain from 16th to 19th Century

As we know, the great geographical discovery of Columbus and the consequent opening of the new maritime routes accelerated the interaction between civilizations, as well as the formation of a world market. In the 16th century, the creation of the China-Philippines-Mexico-Spain route, which is a historical milestone in Chinese-Spanish relations.

2.1 The Spanish court policy for China during the 16th century.

The route was formed out of the existing friendly relations between China and the Philippines that had existed for 1600 years. At that time, China already had relations when ith Philippines through Taiwan. The Relation of Foreign Countries written by Rushi Zhao and the Relation of Overseas Countries and Islands by Da Wang and Dayuan Wang vividly described the relations between China and the Philippines, it was important that the Chinese economy had improved due to the commercial expansion of China's southeastern seaboard in the middle of Ming dynasty, and at the same time, when Spain expanded eastward. Because of the dispute with Portugal over the Moluccas (called spice islands), in November of 1564,

Miguel Lopez de Legazpi (1502-1572)¹ led a fleet in search of a new route to the Moluccas, but in the Philippines, although there was cinnamon, they did not produce cloves and others spices of great commercial value. This kind of spice could find in the Moluccas. In a letter of the King of Spain he wrote that: "*Trade cannot be developed in these islands*". He also expressed his despair to the governor of New Spain: "The *Philippines is not important because it has no value except cinnamon*".² In a letter from Philip II, Legazpi commented: "*The Chinese and Japanese come every year to the islands of Luzon and Mindoro for trading, bringing silk, satin, wool, bronze bells, porcelain, spices, iron, tin, cotton clothes and many other products*". On the other hand, the Spanish were "envious" of the business between Portugal and China. The supervisor of bonds of the Spanish Royal Company in the Philippines, Andres Mardones, said about this trade: "it is a big business and it make a lot of profit".³

On August 14th of 1569, Legazpi was appointed governor of Spain in the Philippines. In a letter he wrote in 1570 to the governor of Mexico, the new governor of the Philippines commented that if the King continued to attach importance to the spices of the Moluccas, Cebu would be ideal for its development. If the King appreciated the wealth of China, the governmental center should move north to Luzon.⁴ It meant that the Spanish authorities were still hesitant about the role of Luzon and trade with China to compete with Portugal in the Moluccas. After studying all possibilities, they finally opted to move north, conquering Manila in April 15th of 1571, located in the islands of Luzon. Later, the Spanish made Manila the center of government for the whole Philippines and the only port which able to send and receive ships from the America Continent.

Legazpi's aim was to do business with China, as he said: "Manila is the ideal place to develop trade with China and Japan. It is very quick to arrive from Manila to both countries". Legazpi made his wish come true during his conquest. Near Mindoro, he rescued 50 Chinese businessmen (or 80, according to the other documents) from the hands of the natives with the aim of establishing trade relations with them. The Spanish governor in the Philippines advised them to go to Luzon to do business. He also ordered two missionaries to accompany them to China with a view to signing a "Treaty of Eternal Peace and Friendship" with the Chinese emperor. At that time, the traders explained to Legazpi about the Chinese strict control over the entry of foreigners. Although the foreigners could not enter without special permission from the Chinese officials, the traders agreed to try to help the Spanish, expressing their desire to return to Luzon later. With this plan, Legazpi was right, as the saved Chinese traders kept their promise and returned with more men to Luzon, bringing with them some Chinese goods. On hearing this news, the Spanish

of a stroke in Manila on 20 August of 1572.

¹ Miguel López de Legazpi: 1502-1571. Who was known as "*El Adelantado*" and "*El Viejo*". He was a Spanish navigator and governor who established the first Spanish settlement in the East Indies when his expedition crossed the Pacifica Ocean from the Viceroyalty of New Spain in modern-day México, arriving in Cebu in the Philippine Islands in 1565. He was the first Governor-General of the Spanish East Indies, which was governed from and mainly located in the Philippines. Legazpi died

² William Lytle Schurz, *The Manila Galleon*, E. P. Dutton & Co., Nueva York, January 1959, p. 21.

³ Emma Helen Blair & James Alexander Robertson, *The Philippine Islands*, 1493-1898, Cleveland, 1903-1909, volume 2, p.38.

⁴ Pablo Pastells, *Catálogo de los Documentos Relativos en el Archivo de Indias*, Sevilla, Volumen I, p. CXXVI, CCX, CVII y CXIX.

⁵ Ibid, p. CCXCV.

⁶ W. L. Schurz, op. cit., p. 27.

rejoiced, believing that "the trade with China had finally become true, from which good profits could be made". Legazpi informed the governor of Mexico of the situation in his letter of November 8th of 1572, and asked for the right to select missionaries to promote this trade. 8

On July 1st of 1573, the galleons loaded with Chinese goods left Manila for the New Continent and on November 15th of the same year, they arrived in the Mexican port of Acapulco. From this port, some of these goods were transported to Spain. Since then, the trade between China and Philippines became the part of a much wider business route, named the China-Philippines-Mexico-Spain Route.

After the death of Legazpi in 1572, Guido de Lavezaris (Sevilla, c.1512-Manila, c.1581.) succeeded him as governor. The commercial benefits of the awakened in Lavezareis the desire to conquer China. In order to get the King of Spain Phillip II to approve this conquest, he sent him a topographical map of Luzon and the Chinese coast, as well as a Chinese map called Guang Yu Tu, pointing out that "the topography of these countries is clearly seen in these maps".9 At that time, there was an attack on Manila by the Chinese pirate Feng Lin (1499-1575, also known as Limahon in some documents) arrived in Manila and fought against the Spanish, but failed and retreated to the port of Cavite. The Pirates were defended by the surrounding mountains and rivers. A Chinese history book describes this event as follows: "Then they came to Cavite from Luzon to defend themselves, the built walls, meanwhile the built ships to threaten the foreigners and to regain their strength". 10 The Spanish authorities immediately sent their men to cut off the rivers, trying to strangle the enemy soldiers. At the same time, the Ming dynasty soldiers arrived under the command of Wanggao Wang (also known as Aumon in some documents, he was the army commander of the Ming dynasty, managing 449 soldiers) and ioined with the Spanish soldiers. Forces from both sides, the built forts to encircle Feng Lin and his soldiers. Wanggao Wang made an agreement with the Spanish soldiers: if the Spanish soldiers took Feng Lin to prison, he would hand him over dead or alive to the Ming government; and in exchange, Wanggao Wang agreed that, on his return to China, he would take Spanish "Diplomatic Representatives" to Fujian to negotiate evangelization and other matters. It was as a result of this conversation that Martín de Rada (1533-1578)¹¹ and Jerónimo Marín, accompanied by some of the soldiers of Wanggao Wang, reached the South China Sea on June 12th of 1575.

Martín de Rada and Jerónimo Marín carried the letter of the Philippines governor to the Chinese emperor, it is a well-designed diplomatic document: "Most powerful Lord, I reside in these islands, which are close to your kingdom of Daming (Ming Dynasty in Chinese), by order of Your Magister Philip II, King of Castile, for that we have here of your greatness and of the marvelous things that are in your Lordship, the have been able to go there until now because there has been no occasion to do that". The governor presented his policy of friendship and aid to the Chinese in Philippines: "You must know that I have a command in my King of Castile that, if I should find any corsair or treacherous tyrant coming against you or your

10 潮州府志, 卷 7. [Chaozhou Prefectural Annuals (Ming Dynasty), Volume 7].

⁷ P. Pastells, op. cit., Volume I, p.CCCII.

⁸ P. Pastells, op. cit., Volume II, p.XXII

⁹ Ibid., Volume II, p.XXII.

¹¹ Martín de Rada: Pamplona 1533-South China Sea 1578. He was one of the first member of the order of Saint Augustine to evangelize the Philippines, as well as one of the first Christian missionaries to visit Ming dynasty of China.

people, I should fight him and favor your wassails; which I have don when merchants from your Kingdom come here, as well as with some others who reside and deal in these islands; not consenting that any damage or bad treatment be done to them,... and it has kept all of your justice and right, as fully as if they were our own Castilians, without consenting that anyone should offend them".

The Ming dynasty was pleased with the defeat of Feng Lin, praising the Spanish efforts: "Although Luzon is not a country that offers tribute to China, your soldiers heroically defeated Feng Lin, what great deeds you have done!". 12 In a letter to the governor of the Philippines, the governor of the Fujian province thanked him: "Your gifts offered to the emperor are now placed in the Imperial Treasury. Your Majesty has already been informed of those from Feng Lin". 13 Even so, the high officials of the Ming dynasty did not trust the Spanish and asked Rada to return to the Philippines, telling him that, after Feng Lin was taken to the prison, these matters would be discussed. In his travel notes, Rada also affirmed: "We have been told to return to Manila and that we cannot be here until their emperor has received the result of Feng Lin". 14 As for the business, he did not mention it.

Spain had started the establishment of an "Oriental Catholic Empire" after its successful entry into the Philippines. Naturally, China was an important objective in the realization of this "dream". On July 8th of 1569, martin de Rada wrote a letter to Marqués Sande expressing: "With God's help, a small force is enough to tame them (the Chinese)". 15 Abandoned on a deserted beach, Rada and his companions were saved by chance, and on returning to the Philippines, Rada wrote a report to Francisco de Sande (1540-1602), the newly appointed Spanish governor of the islands. This report would be used to plan an invasion of China. On June 7th of 1576, Sande wrote a letter to King Philip II in which he reported that he already had a good Chinese map, a navigational map and numerous books about China, noting the following: "The Chinese are not warriors, they do not have good weapons, 200 pirates would be enough to devastate a city of 30,000 habitats. It would not be difficult to conquer this country with 4,000 or 6,000 peoples armed with spears, shotguns, cannons and other weapons and a few ships". As regards the importance for the King of Spain about this possible conquest, Sande added that China was a very populous country and the contribution that the people made to the emperor amounted to 30 million (the original does not specify the unit). He also said in his letter: "Dose not the conquest constitutes a cause which you ought to promote and carry out with great urgency?"16

This conquest was very attractive, but this severe economic crisis in the empire did not allow Sande's plan to be realized. In his reply of April 29th of 1577, the Spanish King Philip II expressed his disagreement, saying: "As for conquering China, which it seems to you should be done as a matter of course, it seems to me that for the moment it is not advisable to deal with it, but rather to deal with the corsairs who are enemies of the those Chinese, nor give them the opportunity to have just indignation with ours". ¹⁷ In other words, the policy to China was to be restricted to maintaining and promoting trade for profit and the necessities of daily life. But the

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¹² 瞿九思,*万历武功录*,卷三,明朝。[Jusi Qu, *Relation of the exploits performed by Emperor Wanli in military affairs*, Volume 3].

¹³ P. Pastells, op. cit., p.54.

¹⁴ Charles Ralph Boxer, South China in the Sixteenth Century, London, 1953, p. 256.

¹⁵ E.H. Blair & J.A. Robertson, *The Philippine Islands*, 1493-1898, Volume 34, p. 227.

¹⁶ E.H. Blair & J.A. Robertson, op. cit., Volume 4, p. 58-93

¹⁷ P. Pastells, op. cit., Volume 2, p.XLIX.

authorities in the Philippines, who did not understand Philip II's policy, were still forging ahead with their invasion of China. Jesuit Father Alonso Sánchez (1547-1593) put forward his conquest proposal in 1586, Spain's internal situation had not improved, as it was preparing its Invincible Armada to defend its hegemony against England. As it was, this new proposal was also rejected.

Continuing trade with China without resorting to force was always the starting point of Spanish policy to China. Not only King Philip II, famous for his prudence, adopted his policy, but also his successors maintained the same attitude. Many years later, in 1797, the Philippine governor Rafael María de Aguilar (?-1806) also presented his plan of conquest to perform "feats like those which have done the Emperor Alexander". This plan suffered the same fate as others with the same content. The Spanish policy to China had never changed at that time. Although from the Opium War of 1840, when the Occidental powers conducted a series of invasion wars in China, causing great calamities to the Chinese people, Spain never sent any soldiers to take part in these wars. Before 1840, due to the certain historical reasons, there were some conflicts of interest and disagreements between China and Spain, but neither side resorted to arms, which was one of the characteristics of Chinese-Spanish relations. Precisely this characteristic, it created the conditions for the opening of the China-Philippines-Mexico-Spain Multilateral Trade Route.

2.2 The multilateral trade opening of the China-Philippines-Mexico-Spain Route.

This route consisted of the China-Philippines-Mexico segment on the Pacific Ocean and the Mexico-Spain segment on the Atlantic Ocean, which were linked by a land bridge from Acapulco in the western of Mexico to Veracruz in the east. The commercial situation of his transoceanic route was very important, being the longest in the world and connecting the two world powers at that period.

China had a powerful economy, supplying goods to many countries of the world. Spain, about this part, had a large number of precious metals to pay for those goods. This is the reason that that route could be considered the "promoting axis" of the world market, the three segments of this route are summarized in the following:

- China-Philippines-Mexico segment: the "Manila Road". This segment ran across the Pacific Ocean and was divided into two routes: The China-Philippines and the Philippines-Mexico. These two routed joined at Manila. Although there were ships sailing from Guangtong to Manila, in the late Ming dynasty, the main Chinese port where trade with the Philippines took place was called the Moon because of the documents: "Its configuration was like a moon".18 Throughout the year, Chinese ships during the northeast monsoons, 15 to 20 days arrived in the Philippines. After landing, the customs officers would check the goods. They paid the duties, and some goods were sold, most of these Chinese goods were shipped on the Manila Galleon.

At that period, in June of each year, in the southeast monsoon, the Manila galleons weighed anchor for New Spain. The voyage between Manila and Acapulco was approximately ten thousand miles and, the navigation lasted about 5 months. After unloading the Chinses goods and loading the silver ingots and coins from Mexico and Peru, the galleons awaited their return. Between November and March of the following year, the galleons would sail west, taking advantage of the favorable winds and currents, the voyage took

¹⁸ 海澄县志, 清朝。[Haicheng District Annals, the Ming Dynasty.]

no more than 3 months to arrive in Manila. They unloaded their goods there and the Chinese merchants who had sold their silk in that port obtained the amount of silver earned and then returned to China.

In the city of Manila, which was the center of the China-Philippines and the Philippines-Mexico routes, the people there could get Chinese goods and American precious metals. Therefore, the merchants from Japan and Southeast Asia, as well as from India and Persia, brought their own products there as well. As a thriving trade center, it was called "the New Venice" and "the Oriental Pearl". Its wealth ensured the stable development of the colonial society of the Philippines. The King Philip II of Spain said about the Philippines that it was a respectable and faithful land, while King Philipp IV said: "the city enjoyed the greatest fame among the lands of our kingdom". 19 - The Chinese Road: From Acapulco to Veracruz. The end of the China-Philippines-Mexico segment was Acapulco which is located in western Mexico. It was an excellent port, as it was surrounded by high mountains as a natural defensive barrier. The Spanish missionary Domingo Fernandez de Navarrete (1619-1689), on his way from Acapulco to China, called this bay "the safest in the world". 20 Despite the narrowness o its two entrances, the surface of the bay was immense, so that it could easily enter up to 100 galleons. Moreover, Acapulco is close to Mexico City, and linked the ocean with the interior of the viceroyalty of New Spain. All this favored its commercial development.

According to the custom, after unloading the goods, the fair was opened. The merchants and buyers would flock there immediately, bargaining, shouting, and laughing without scruples. As the Chinese goods occupied an extremely important place in the life of the colonies, people called these galleons "Naos de China". After the last day of the fair, the Peruvian merchants took the Chinese goods to their ships, while the Mexicans went with herds of mules loaded with oriental treasures to Mexico City. The capital of the viceroyalty of New Spain was the political, economic, cultural and religious center of the colonial period and was home to prominent religious and secular people. The 16th to 18th century, in Europe it was a time of intense interest in China, the "Recoco" fashions helped the boom of oriental colors. Those Chinese wares were also highly valued by the high society in Lima, Panama, Guayaquil, Bogotá, Buenos Aires and Cartagena, among other American cities. Mexico became the city of the greatest consumption, the center of the commercial "network" that connected the large areas of Latin America. The part of those products was taken to Desaguadero in Central America. From there, another part reached Cartagena de Indias of Colombia, as well as Portobelo in Panama. About the Chinese products which remained in Mexico City, a part was locally consumed, another part was sent to other interior cities of the country, and the rest was taken to Veracruz through the cities of Puebla and Orizaba. The Caribbean islands received a certain amount that merchandise, but most of them would be sent to the port of Seville across the Atlantic Ocean.

- The trade of the "Fleet and galleons system"²¹, from Veracruz to Seville. Once the Chinese goods were loaded on the ships to sail from Veracruz to Seville,

¹⁹ W.L.Schurz, op. cit., p.44.

²⁰ Ibid., p. 372.

²¹ Fleet and galleons system: It was a defensive measure against attacks by corsairs and pirates used by the Spanish crown in the 16th and 17th centuries, which consisted of the organizing convoys

of the transport ships escorted by warships to sail from the ports of the Caribbean and the Gulf of Mexico to Havana, from this port to Cadiz, the back to America from there. At the beginning of the 16th century, the ships leaving Spain for America headed for Santo Domingo, it was following the route established by Columbus roughly, after that, they dispersed to their destination ports. On their return to Span, almost of them would be called to Santo Domingo before crossing the Atlantic. However, around 1526, the continuous assaults by the corsairs and pirates against the Spanish merchant ships loaded with American treasures led the monarch Charles V to order the concentration of the ships in Santo Domingo, so that, they could make the crossing to the mainland in preserved form (in convoys) and others in Cadiz, from there to Indies, under the penalty of confiscation of ships and cargoes for those who violated his order. The resistance of the merchants, bankers and shipowners to a system that wasted their time and money, as well as making it easier for the crown's representatives to close the monitor of their transports, led the emperor to relax his order in 1547, with the result that two years later, the fleets were almost out of use. The accession of the King Philip II to the Spanish throne and the increase in privateer activity mean that, as the part of the general plan for the defence his American possessions, the industrious king re-established the Fleet system in 1561 and three years later, it was regulated, with its characteristic meticulousness, their organization routing, escorts and sailing times. The fleets departed, initially from Seville and later from Cadiz the galleon fleet, bound for the Greater Antilles, Central America and Mexico, in April or May, and the other in August, for Santa Marta and Cartagena, with cargoes for South America. Both followed the route of the trade winds, from the west of the Canary Islands to Cape Verde, then, on entered the Caribbean via Puerto Rico-Virgin Islands to the port of Santo Domingo or Ocoa, skirting Cape Tiburón from there, the touched in Santiago de Cuba and Jamaica, sent exploration to Isla de Pinos and, if not Barbados-Trinidad, entered the Caribbean through the Yebernada Channel and sailed to their destination ports. The voyage of return to Spain was made from Peru to Panama, aboard the fleet of the Southern (Pacific) Armada. From there, the cargoes were taken on the back of mules to Nombre de Dios or Portobelo and, from those ports by sea way, get to Cartagena de Indias. The fleet of galleons set sail for the Caribbean, where they were joined by the ships from Puerto Cortés and Trujillo, with cargoes from Central America, and from San Jan de Puerto Rico, Santo Domingo and Santiago de Cuba to cross the dangerous Strait of Yucatán together and arrived at the port of Havana. The other fleet, the La Plata, departed from the Villa Rica de la Veracruz with the merchandise from New Spain, its origin was China and Philippines, had been unloaded at Acapulco and passed through Mexico, also concur at Havana. Approximately in March, after repairing bottoms, canyas and cordage, as well as stocking up the firewood, water and provisions. and providing recreation for the crew and passengers, the fleet returned to Spain, taking advantage of the benefits of the New Channel of the Bahamas (Florida Straits). This would be the route that would be used the most, like Anton de Alaminos (c. 1488-c.1520) had already pointed our as the most favourable one since 1516, because the Gulf Stream helped to shorten the journey. The fleet usually consisted of several dozen merchantmen (from 15 to 45) escorted by galleons and other lighter warships. It was included a vanguard in the sailing order, led by a zabre, patache or frigate, with security duties; it was followed by the main forces, led by the captain ship and made up the merchant ships and their escort of galleons. The convoy was closed by the admiralty ship. Each galleon had a sea Captain and a land captain. The first, a seaman, directed the ship's manoeuvres and navigation; the seamen were subordinate to him. The second, a captain of land troops, commanded the soldiers who carried out the combat in the event of a boarding. It also included the crown's control apparatus, the consisting of overseers, the accountants and silver masters. The port of Havana and other ports in America, owed their initial flourishing to the Fleet and galleons system. Linked to the supply of the ships and their crews, as well as the export trade, they developed various manufactures such as the manufacture of cheese, salted meats, the production of jerky, bacon, hams, tanned hides, rums, etc., all in great demand by the fleets and form the smuggling trade with the buccaneers. The Ship Repair meant the need for caulking workshops, docks, iron works and specialized workers in the manufacture of various types of hand work, baldies and metal parts, as well as the twisting of ropes, the manufacture of sails for the ships, etc. The cargoes of the ships leaving for Europe were completed with other products derived from agriculture, such as sugar, coffee and tabaco, so that the estancias and plantations dedicated to these crops flourished at the same time. The Fleet and galleons System put into practice by the Spanish proved effective while their enemies were reduced to small flotillas or isolated corsairs, but when the English and Dutch bourgeoisies backed their adventurers with enough capital to form naval groupings more powerful than the fleet escorts, the Spanish convoy system scheme became a disadvantage, as Pyet Hein (1577-1629, a Dutch sailor born in Delft and he was considered a national hero) proved when he

they entered the famous Spanish "Fleet and galleons system". After the landing of Columbus in America, the trade between Spain and its colonies was conducted in the form of a monopoly. To enforce the trade administration, the Council of the Indies was established, and dedicated, among other things, to a supervisory role. The Council of the Indies designated Seville as the only port which had the right to communicate with the American colonies, although it was later replaced by Cadiz. To defend against the attacks by the pirates operating along the route, it was established that all galleons leaving for America had to travel in fleets and be protected by military vessels. The first fleet, which was formed by between 20 and 50 galleons, left in May each year, it passed through the Caribbean and crossed the Strait of Yacatán to arrive in Veracruz, where the Chinese goods which were sailed Acapulco were already waiting for the loading and transportation to Spain. The second fleet of galleons, approximately the same number as the first one, weighed anchor in August to reach Protobelo, and the ships left for Cartagena from this port. It was necessary for the two fleets to leave for America in different months of the year because they carried the big quantities of cereals, wine, cloth and other heavy goods for frequent consumption. The galleons carried gold and silver on their way back, as well as other very valuable goods, which was why they were often the subject of pirate attacks. To defend themselves, the ships of the fleet system would meet the following year in the Strait of Florida and set sail together, protected by several ships, and finally go to Seville.

Seville, it was the monopoly city for trade with the Indies, and also had a certain ease of communication with the interior of the country. Thus, it became a prosperous commercial, financial city, even to the point that it managed the economy of the entire of Europe due to the number of precious metals that came to it. The price of the products and the financial index of Seville were the barometer by which the European economy was evaluated at that time. Cadiz, at the mouth of the Guadalquivir River of Spain, was the city that had more geographical advantages than Seville. For this reason, it always aspired to monopolize trade with the Indies. The competition between the two cities lasted for a long time and ended with the victory of Cadiz. In 1717, the sand sediment in the lower course of the Guadalquivir River was so great that the ships could no longer reach Seville, so the commercial interests of Cadiz won out finally.

2.3 The trade on the Multilateral Route of China-Philippines-Mexico-Spain between the 16th and 19th centuries.

It could be said that the trade between those countries was never as fruitful as it had been during the 16th and 19th centuries. In fact, its development was impeded. Firstly, by the policy of "mercantilism" pursued by Spain, and secondly, by the primacy given in China to agriculture, the detriment of trade, and also by the Chinese government's prohibition of maritime trade. In addition, the Trade War unleashed

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seized the La Plata fleet at Matanzas in 1628. That was a death blow to the system, in 1647 isolated but armed vessels were allowed to sail, and by the end of the decade the Fleet and Galleons System was abandoned.

Arcadio Ríos, *La agricultura en Cuba. Apuntes históricos*. Editorial INFOIIMA, La Habana, 2012. *Diccionario Enciclopédico de Historia Militar de Cuba*. Primea Parte (1519-1898). Tomo III. Expediciones Navales. Acontecimientos políticos-militares. Ediciones Verde Olivo, Ciudad de La Habana, 2014, pp. 79-80.

https://www.ecured.cu/Sistema_de_Flotas

by the colonialist forces of Europe slowed and damaged this trade, and the rise of industrial capital challenged its development.

- From the opening of the port of Manila to the fall of the Ming dynasty or the beginning of the Qing dynasty of China, it could be considered the development phase. From the end of the 15th century to the middle of the 16th century, most European countries experienced a wave of colonization. The social shocks and upheavals were constantly occurring. In order to stabilize the price of the domestic market, Spain temporarily prohibited the export of industrial products to its American colonies and encouraged the import of such products from Western European countries. As the result, the industrial products were in short supply in the American market while domestic industry was going from bad to worse. To save themselves from ruin, some industrialists invested in agriculture, thus encouraging its feudalization. The national industrial decadence and the halting of the industrial development of the Spanish American colonies by the metropolis forced them to look for goods in other areas for more than two centuries. But on the other hand, under the influence of the price revolution, the level of industrial production in many European countries was limited and stagnated while the prices were very high. Although a certain number of European products were introduced into Spanish America, those products were generally beyond the purchasing of the merchants. Regarding the situation, China was the only country with sufficient capacity to satisfy the demand of the American colonies with its good quality products at the lowest cost in the world at that time.

In the middle of the Ming dynasty, the commercial economy developed mainly in silk craftsmanship. "The foreign merchants also came to the Jiangsu, Zhejiang and Fujian provinces of China to trade with a big sum of money, particularly in May of each year. The weavers made many profits, especially in the southern cities and the towns of Jiangsu province." This prosperity promoted overseas trade. In 1576 the policy of the prohibition of maritime trade was lifted, and therefore "the Merchants from different parts of the country went by ship overseas to trade, bringing their best and most valuable products to take back hundreds of thousands 'liangs' of silver. Both the state and the merchant himself gained great benefits from this kind of trade." At that time (the Emperor Wanli of the Ming dynasty, 1573-1600) the number of trade was 10 times more than before. Indeed, Chinese products were very competent in the international market at that period.

Although Europe achieved great successes in shipbuilding, arms foundry, watch, glass and cloth manufacturing, Chinses products, especially textiles, agricultural, metallurgy and other goods, were in great demand in the international market because of their good quality and low price. As a result, those goods were more competitive compared to the same products manufactured in other countries, as in some of Europe. This advantageous position of Chinese goods in the international market from the late 16th century to the early 17th century was the basis for the rapid development of

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²² 唐甄, *潜书*, 二篇下, 省刑。[Zhen Tang, *Book Qian*, Volume II, Last Part, About Province Penalization.]

²³ Liang: the unit was used in China, usually in ancient China. One Liang is equivalent to 50 grams.

²⁴ 张燮, 东西洋考·周起元序。[Xie Zhang, Overseas' Research, foreword by Zhou Qiyuan]

²⁵ 丁元荐,西山日记,卷上。[Yuanjian Ding, Mountain West Diary, Volume One.]

the China-Philippines-Mexico-Spain trade route. The Chinese good was mainly silk thread and cloth, and it had been a big quantity: the only data we can cite is taken from "The American Treasury and the Price Revolution in Spain, 1501-1650", written by Hamilton, a famous American economist. The author affirmed that in 1590, the amount of the silks imported was equivalent to 18,233 ducats ²⁶, and in 1609 it reached to 88,687 ducats. It is very probable that other Chinese goods were also imported at the same time.

- From the fall of the Ming dynasty to the 23rd anniversary of the Kangxi emperor of the Qing dynasty (1684), when the prohibition of maritime trade was lifted, that is to say: from 1644 to 1684. The struggles between the newly emerging capitalism in Europe and the traditional feudal order were reflected, in international trade, by interminable wars. The people lived a life of hardship. Due to the "Thirty Years' War"²⁷, the population in some areas was reduced by 40%, and in some places by 60% or 70%. The epidemics occurred with some frequency. In 1630 about 1,500,000 people died in Italy, and in 1655

²⁶ Ducats: In Castile of Spain, it was the unit of gold coins, therefore, it was worth half a doubloon, its value varied according to its law, weight 3,60 grams, unit of account during the 16th and 17th centuries, it was worth 11 Castilian reales or 375 maravedis.

https://www.tesorillo.com/otras/medievales.htm#:~:text=DUCADO.,DUCAT%C3%93N.

²⁷ The Thirty Years´ War: "From 1618 to 1648, in European history, a series of wars fought by various nations for various reasons, including religious, dynastic, territorial, and commercial rivalries. Its destructive campaigns and battles occurred over most of Europe, and, when it ended with the Treaty of Westphalia in 1648, the map of Europe had been irrevocably changed. Although the struggles that created it erupted some years earlier, the war is conventionally held to have begun in 1618, when the future Holy Roman emperor Ferdinand II, in his role as king of Bohemia, attempted to impose Roma Catholic absolutism on his domains, and the Protestant nobles of both Bohemia and Austria rose up in rebellion. Ferdinand won after a five-year struggle. In 1625 King Christian IV of Denmark saw an opportunity to gain valuable territory in Germany to balance his earlier loss of Baltic provinces to Sweden. Christian's defeat and the Peace of Lübeck in 1629 finished Denmark as a European power, but Sweden's Gustav II Adolf, having ended a four-year war with Poland, invaded Germany and won many German princes to his anti-Roman Catholic, anti-imperial cause. Meanwhile the conflict widened, fuelled by political ambitions of the various powers. Poland, having been drawn in as Baltic power coveted by Sweden, pushed its own ambitions by attacking Russia and establishing a dictatorship in Moscow under Wladyslaw, Poland's future king. The Russo-Polish Peace of Polyanov in 1634 ended Poland's claim to the tsarist throne but freed Poland to resume hostilities against its Baltic archenemy, Sweden, which was now deeply embroiled in Germany. Here, in the heartland of Europe, three denominations vied for dominance: Roman Catholicism, Lutheranism, and Calvinism. This resulted in a Gordian tangle of alliances as princes and prelates called in foreign powers to aid them. Overall, the struggle was between the Holy Roman Empire, which was Roman Catholic and Habsburg, and a network of Protestant towns and principalities that relied on the chief anti-Catholic powers of Sweden and the United Netherlands, which had at last thrown off the yoke of Spain after a struggle lasting 80 years. A parallel struggle involved the rivalry of France with the Habsburgs of the empire and with the Habsburgs of Spain, who had been attempting to construct a cordon of anti-French alliances. The principal battlefield for all these intermittent conflicts was the towns and principalities of Germany, which suffered severely. During the thirty Years' War, many of the contending armies were mercenaries, many of whom could not collect their pay. This threw them on the countryside for their supplies, and thus began the 'Wolf-strategy' that typified this war. The armies of both sides plundered as they marched, leaving cities, towns, villages, and farms ravaged. When the contending powers finally met in the German province of Westphalia to end the bloodshed. the balance of power in Europe had been radically changed. Spain had lost not only the Netherlands but its dominant position in western Europe. France was now the chief Western power. Sweden had control of the Baltic. The United Netherlands was recognized as an independent republic. The member states of the Holy Roman Empire were granted full sovereignty. The ancient notion of a Roman Catholic empire of Europe, headed spiritually by a pope and temporally by an emperor, was permanently abandoned, and the essential structure of modern Europe as a community of sovereign states was established." https://www.britannica.com/event/Thirty-Years-War.

about 97,306 people died in London.²⁸ The princes raised, the currency devaluations and the reduction of agricultural and industrial production plunged Europe into a severe economic depression.

In China, the Zicheng Li (1606-1645) peasant rebellion at the end of the Ming dynasty, directly affected the trade between China and the Philippines. In 1643, about 30 Chinese trading ships docked in Manila and one year after, this number dropped to 9. An official document from the Spanish government noted in discussing the reason for the decline in trade: "it is said that an official named Zicheng Li and his colleagues took up arms in one or two provinces. Because of the chaos and power struggles, the economy stagnated and declined. But in Fujian province, Chenggong Zheng (1624-1662) 29 persevered in his struggle against the new Qing dynasty, actively promoting foreign trade to sustain this struggle economically. There were 486 trading ships from Taiwan to Japan between 1650 and 1662."30 At the same time, China "did not cease to trade with Luzon, Thailand, Cochinchina (south of Vietnam) and other countries". 31 Thus, "in Taiwan, a very small island, Zheng had a very well-armed and very strong force with thousands of ships. In addition, he maintained extensive relations with the mainland and won the support of the people. Zheng's successes were due to his policy of developing overseas trade".32

Chenggong Zheng successfully exploited Taiwan, stimulated production, and while fighting the Western colonialists developed foreign trade. Finally, Taiwan became the commercial center of the Western Pacific and the bulwark against the colonialist forces. In the Chinese-Philippine trade of this period, Taiwan occupied a very important position. Between 1664 and 1681, 91 Chinese ships arrived in Manila, among them, 40 belonged to Taiwan. In 1674, Jing Zheng and Chenggong Zheng's successors reoccupied Xiamen and the surrounding area, they took advantage of the inner disorder of the Qing dynasty. The trade recovered on the mainland in a sense. In 1674, Chenggong Zheng's nephew recaptured Xiamen and the merchants from England, Indonesia and Vietnam who came to trade there. The prosperity reappeared in Xiamen". It is quite possible that among those 91 Chinese ships, there were some that had left from Macao. The silver coins earned in the trade with the Philippines also circulated in Taiwan: "At that time, Taiwan had closed the trade contacts with overseas, and as a result,

²⁸ The Cambridge Economic History of Europe, 1978, Volume. 5, p. 81

²⁹ Chenggong Zheng: August 27th, 1624-June 23rd, 1662. Who was a Ming loyalist general and resisted the Qing conquest of China in the 17 century, fighting them on China's southeastern coast. In 1661, he defeated the Dutch outposts on Taiwan and established a dynasty, the House of Koxinga, which ruled part of the island as the Kingdom of Tungning from 1661 to 1683.

³⁰ 本宫泰彦,*日中文化交流史*,商务印书馆,1980,第 623、627 页。[Kimiya the Thai-yan, *History of the cultural relations between Japan and China*, The Commercial Press, 1980, pp.623,627]

³¹ 江日升,*台湾外记*,1704. https://ctext.org/wiki.pl?if=gb&res=612985&remap=gb. [Risheng Jiang, *Relations about Taiwan*, 1704.]

³² 郁永河,*海上纪略*,1697. https://twnelclub.ning.com/profiles/blogs/3917868:BlogPost:39011. [Yonghe Yu, *Brief relation of maritime affairs*, 1697.]

³³ Pierre Chaunu, Les Philippines et le Pacifique des Iberiques, X VI e, X VII, XVIII e siècles, París 1960, pp. 165-169

³⁴ 邵廷采,*东南纪事*,https://ctext.org/wiki.pl?if=gb&res=143097&remap=gb. [Tingcai Shao, *Relationships of the South East Cases*.]

the coins and goods from different countries entered Taiwan. The majority of pesos of Luzon are made from those coins. Those pesos, which were of Spanish manufacture, with a figure of the King of that country, which was the reason that the Taiwanese called those pesos "Coins with the figures". A peso of Luzon weighed 6 qian³⁵ and 8 fen.³⁶ The pesos of Luzon were the official medium of exchange in those trades."³⁷

The decline of the Chinese-Philippine trade directly affected social life in the Philippines. In that same historical period, the economic situation in Spanish America also worsened. The indigenous population decreased rapidly. As Indians were the main labor force in the exploitation of precious metals, their decline affected production, the decline of this metal production directly damaged the imports in Spain, and affected its economy also, which went from bad to worse. Although Spain and Europe were experiencing an economic depression, the introduction of cheap, good-quality Chinese goods to America cushioned the negative influences and boosted the commercial prosperity of the Pacific in the contrast to that of the Atlantic. Later, the frequent changes of power and restrictions on foreign trade also led to the economic decline in China. This affected directly trade in China, and decreased the number of Chinese goods in the American market. the demand could no longer be satisfied. China, therefore, could no longer dampen the economic hardship as it had done before. The pacific trade entered its period of decline also. China lost its driving force in that trade. The colonialist policies adopted by Spain induced the economic decline of its own peninsular territory and its colonies in America, meanwhile, China, in a grave situation in the world, lost the opportunity to develop its creativity due to the policy of the prohibition of maritime trade implemented by the Qing government.

- The last phase of the Route and its revival was between 1684 and 1815. The Kangxi Emperor (1654-1722) of the Qing dynasty calmed the country's disorder in 1681 and regained Taiwan in 1683, thus reunifying the whole country. He still had the problem of recovering the economy, which had been ruined by the prohibition of maritime trade and the continuous wars. There was no choice but to lift the maritime prohibition policy. The Kangxi Emperor said in 1685: "The courtiers asked to lift the maritime prohibition. I approved. Xiamen, Zhangzhou and Ningbo are cities that have established customs". In this way, the trade between China and the Philippines was revived again. The development was quite remarkable. Be boom of China-Philippine trade led to a big amount of Chinese products entering the American markets. In 1697, the Italian Giovanni Francesco Gemelli (1651-1725) 39 arrived in

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³⁵ Qian: the unit of weight equivalent to 5 grams in China, according to the old standard it was equivalent to 3.125 grams.

³⁶ Fen: the unit of weight equivalent to 0.5 grams in China, according to the old standard it was equivalent to 0.3125 grams.

³⁷ 连雅堂,*台湾通史*,台湾通史社出版发行,1920. [Yatang Lian, General *history of Taiwan*, Taiwan History Press. 1920.]

³⁸ Pierre Chaunu, Les Philippines et le Pacifique des Iberiques, X VI e, X VII, XVIII e siècles, París 1960, pp. 92-93

³⁹ Giovanni Francesco Gemelli Cari: He was born in Taurianova, 1651, and died in Naples, 1725. He was a seventeenth-century Italian adventurer and traveller. He obtained a doctorate in law at the College of Jesuits in Naples. After completing his studies, he briefly entered the judiciary. He was among the first Europeans to tour the world by securing passage on ships involved in the carrying

Acapulco on a galleon named "Sevillano" after visiting China and the Philippines, and there he found a lively fair. According to his calculation, "the Peruvian merchants brought 2,000,000 pesos with them to buy the Chinese goods". 40

That revival of trade had a positive effect on the economy and society of Spanish America. The Spanish had prohibited sericulture in Mexico and had ordered all the mulberry trees to be cut down. Therefore, the industry of silk textiles had reached a dead end in México. After the removal of the maritime prohibition policy in China, the importation of silk thread from China saved the Mexican textile industry. In 1712, Woodes Rogers (c. 1679-1732)⁴¹ said after making a tour of Mexico: "The silk threads imported from China a very abundant, and the last few years, the satins ornamented with golden threads manufactured in Mexico are striking and brilliant, comparable to others of the same kind manufactured in Europe."

The Chinese products were sold all over America. According to Jorge Juan (1713-1773) y Antonio de Ulloa (1716-1795)⁴³, who made scientific research in America between 1735 and 1746, the shops in Lima were full of porcelain. In Chile and Panama, the Chinese silks were sold everywhere. The people liked the Chinese silk because of its better quality than Spanish silk.⁴⁴ The Sevillian trade monopolies were very unhappy to see the goods going to Peru and, from there to Guatemala, Campeche, Caracas, the Windward Archipelago, the Greater Antilles archipelago and other places on the South American Continent. At the end of the 17th century and the middle of the 18th century, the European rococo favored the arrival of the Chinese products, such as wallpaper, Byōbu, lacquer furniture, hardwood furniture, Chinese landscape paintings, tablecloths, curtains, umbrellas, fans... Europe had a great interest in China. The American colonies found the Pacifica trade more important than the Atlantic trade. An article in *The Chinese Repository* noted: "The people sell the imported goods from Manila, that the arrival of a galleon is more important than a Spanish fleet". 45 The trade revitalization of the China-Philippines-Mexico-Spain Route stimulated the development of

trade; his travels, undertaken for pleasure rather than profit, may have inspired Around the World in Eighty Days. Some suspected him of spying for the Vatican (or rather for the Jesuits) on his journey. ⁴⁰ Giovanni Francesco Gemelli Careri, *Viaje a la Nueva España*, UNAM, 1976. p.7.

⁴¹ Woodes Rogers: c. 1679-15 July 1732. He was an English sea captain, privateer, slave trader, and from 1718, the first Royal Governor of the Bahamas. He is known as the captain of the vessel that rescued marooned Alexander Selkirk (1676-1721. He was a Scottish privateer and Royal Navy officer who spent four years and four months as a castaway after being marooned by his captain, initially as his request, on an uninhabited island in the South Pacific Ocean), whose plight is generally believed to have inspired Daniel Defoe's (c.1660-1731. He was an English writer, trader, journalist, pamphleteer and spy) Robinson Crusoe.

⁴² W. L. Schurz, op. cit., p. 365

⁴³ Jorge Juan and Antonio de Ulloa: they inaugurated the most brilliant period of scientific expeditions, that of the Enlightenment. Seafarers and scientists, they were part of the Spanish-French scientific expedition between 1735 and 1746, organized by the Paris Academy of Sciences, which also included *La Condamine* and the naturalist Jesuits, and whose aim was to measure the arc of the Earth's meridian at the Equator in order to determine the true shape of the Earth and its exact dimensions. They ended up exploring, mapping and fortifying the entire pacific coast from Panama to Chiloé.

http://www.bne.es/es/Micrositios/Guias/12Octubre/CienciaExploracion/JorgeJuan/.

⁴⁴ M.C. Meyer y W.L. Sherman, *The Course of Mexican History*, Nueva York, 1979, p. 155 y 254.

⁴⁵ 中国丛报, 1839 年第 4 期, 第 172 页。[The Chinese Repository, № 4, 1839, p. 172.]

China's southeastern seaboard. After the Kangxi Emperor removed the prohibitions, trade recovered quickly.⁴⁶

The Southern European countries, such as Italy, Spain and Portugal, went into decline. The political and economic enter moved north, and England, France and other countries grew stronger, especially England, where, after the bourgeois revolution, the industrial capitalism developed. The country that first faced the challenge was Spain. In Spanish America, the Spanish monopolies restricted imports, causing imbalances between demand and supply in the American market, this was exploited by England to engage in wide-scale contraband smuggling. In the mid-18th century, there were only 40 Spanish ships arriving in the ports of the Spanish American colonies each year, but there were more than 300 ships from Britain smuggling goods through Curacan and Jamaica to various places of the Spanish colonies.⁴⁷ In the part of the Pacific, the British government did its best to disrupt the trade between the Philippines and Mexico. After the foundation of the East India Company, the British tried to get their hands on the Philippine market. in 1755, when the Chinese were expelled from the Philippines, the British brought in large quantities of Indian goods. With the profits, English merchants bought Chinese goods in Guangdong and sold some of them to the European market, while the rest was smuggled to the American market, the British intervention in that trade damaged not only the Spanish economy, but also the Chinese interests.

When Carlos III (1716-1788) took the throne in Spain between 1759 and 1788, he initiated a series of reforms in politics, the army and the economy. These measures served to alleviate the crisis in Spain and also reached the Philippines. In 1786, the Royal Company of Philippines was established, while the monopoly laws between the Philippines and Mexico were reaffirmed. but the trade freedom between the Philippines and Spain was promulgated. The King encouraged the exploitation of the natural resources of the Philippines and promoted industrial-agricultural production in order to reorganize the deficiencies of the Philippine-Mexican trade. To this end, he dedicated 4% of the profits of the Royal Philippine Company to the exploitation of the islands, a measure that immediately brought great results. The government of the Philippines began to have its own economic system.⁴⁸ As the reforms initiated by Charles III were implemented, a new political and economic landscape appeared in Spanish America. In 1765, the trade freedom was applied. Cadiz lost its monopoly, and 9 ports were opened. In 1778, about 13 Spanish local ports and 24 colonies ports were opened. During 1778 and 1783 the trade between Spain and its colonies increased by 700%.49 The economic development of Mexico invigorated the forces of the Creole people; the war of independence from the United States and the influence of the European Enlightenment accelerated the formation of Latin America's national consciousness. In the economic field, the Creole people

⁴⁶ Pierre Chaunu, op. cit. p. 39.

⁴⁷ Enrique Semo, *Historia del capitalismo en México. Los orígenes. 1521/1763*, Ediciones Era, 1973, México.

⁴⁸ Conrado Benítez, *History of Philippines, Economic, social, cultural, political*, Editorial Ginn, January 1954.

⁴⁹ Diego G. López Rosado, *Curso de historia económica de México*, Programa Editorial de la Coordinación de Humanidades, 1984. México.

asked for more decisiveness, entering the conflict with the Spanish; in the political field, the battle for independence could not be stopped.

This context influenced the trade between the Philippines and Mexico. The Creoles people sold directly, not through the Spanish merchants, the European products in Veracruz to the merchants in the northern provinces, facilitating the trade flow, and thus damaging the interests of the Spanish merchants. Those, who had once docilely obeyed the 'ordenes' of the Spanish dared to confront them face to face, until 1787 the Consulate election, when the list of candidates which proposed by the Spanish merchants was rejected.⁵⁰ At the beginning of the 19th century, the products of the Mexican-Philippine trade could be bought directly from England. Together with the level of development achieved, it decreased the commercial dependence on the American continent, making the Spanish stock of Oriental products unnecessary in anticipation of a possible rise in prices. In 1804, the Consulate informed the King of Spain that three galleons - the King Charles, the Montañés, and the Causalities- had been at anchor between one and three years without anyone caring about the goods they held. The new global framework meant that the reason for the existence of Spanish-supervised trade disappeared.⁵¹

The Mexican War of Independence broke out in 1811, and the King of Spain canceled the Philippine-Mexican trade on October 25th of 1813 in 1815, the galleon Magellan returned from Acapulco to Manila, which meant the ending of the China-Philippines-Mexico-Spain multilateral trade, which had lasted around 250 years. But the trade between China and Spain trade relations did not end there at that time, as China-Philippines-Spain trilateral trade began.

2.4 The trade among China, the Philippines and Spain during the 19th century. In the 250 years of the trade route among China, Philippines, Mexico and Spain, as we talked about before, the trade was conducted through the Americans, although it was not directly around the Cape of Good Hope, because the Spanish Court followed strictly the Treaty of Tordesillas.⁵² Neither during the years when

⁵⁰ David A. Brading (autor), Roberto Gómez Ciriza (traductor), *Mineros y comerciantes en el México borbónico* (1763-1810), Editorial Fundo de Cultura Económica, 2010.

⁵¹ W. L. Schurz, op. cit., p. 60.

⁵² The Treaty of Tordesillas: "it was an agreement between Spain and Portugal aimed at settling conflicts over lands newly discovered or explored by Christopher Columbus (1451-1506) and other late 15th-century voyagers. In 1493, after reports of Columbus's discoveries had reached them, the Spanish rulers Ferdinand and Isabella enlisted papal support for their claims to the New World in order to inhibit the Portuguese and other possible rival claimants. To accommodate them, the pope Alexander VI (1199-1261) issued bulls setting up a line of demarcation from pole to pole 100 leagues (about 320 miles) west of the Cape Verde Islands see Cabo Verde. Spain was given exclusive rights to all newly discovered and undiscovered lands in the region west of the line. Portuguese expeditions were to keep to the east of the line. Neither power was to occupy any territory already in the hands of a Christian ruler. No other European powers facing the Atlantic Ocean ever accepted this papal disposition or the subsequent agreement deriving from it. The King John II of Portugal was dissatisfied because Portugal's rights in the New World were insufficiently affirmed, and the Portuguese would not even have sufficient room at sea for their African voyages. Meeting at Tordesillas, in north-western Spain, the Spanish and Portuguese ambassadors reaffirmed the papal division, but the line itself was moved to 370 leagues (1,185 miles) west of the Cape Verde Islands, or about 46°30′ W of Greenwich. Popo Julius II (1443-1513) finally sanctioned the change in 1506. The new boundary enabled Portugal to claim the coast of Brazil after its discovery by Pedro Álvares Cabral (1467-1520) in 1500. Brazilian exploration and settlement far to the west of the line of

Portugal was united with Spain (1580-1640) did ships around the Cape. It was the 18th century, when the "Trade War" spread all over the world and the Treaty of Tordesillas was no longer valid for the new colonial countries like Holland, England or France, the Spanish government broke the Treaty and treaded directly with the Philippines. Due to the traditional trade relations between China and the Philippines, the Trilateral Trade of China-Philippines-Spain was formed, on some occasions, the Spanish ships arrived directly in China, bypassing the Philippines. The first Spanish ship which arrived directly was called "Buen Consejo" in 1766. According to the historical records, from 1766 to 1783, there were 14 ships loaded with European goods that arrived in Philippines, and returned with Chinese goods without passing through Mexico.⁵³

After the foundation of the Royal Philippine Company in 1785, the country was allowed exceptionally to sell 2,000 tons of products every year to Caracas, Cumara, Maracaibo and other cities in the New Continent. Moreover, the Philippine products arrived in Cadiz, and those products could be transported to different cities in America after the payment of Spanish taxes. That proved that the prohibition established by Spain was only nominal. Due to the loss of Spanish control, the Philippines established the trade offices in Mexico City, Veracruz, Lima, Buenos Aires and other American cities, thus expanding their radius of activities and also promoting the circulation of Oriental products. At that time, the direct trade between the Philippines and Spain was the most prominent. The Chinese residents in the Philippines played an important role as intermediaries. In 1778, Jose Basco v Vargas (1733-1805), governor of the Philippines, promoted the economy of the islands with the aim of not being dependent on the Philippine-Mexico trade overly. He also rescinded the order to the expulsion of the non-Catholic Chinese, who was a decisive factor. At first, he tried to limit their activities of agriculture, but he was unable to do because of the industriousness and parsimony of the Chinese, which allowed them to accumulate funds and then invest in their business. Some of them became important intermediaries, they exported goods from Guangdong, Xiamen and elsewhere to the Philippines. On the other hand, in the China-Philippine trade, the principal transport was the Spanish merchant navy ships. The Chinese ships lost their importance little by little due to the prohibition of maritime trade and severe tonnage restrictions losing also their importance in Southeast Asia. As the Western documents indicate, between 1830 and 1850, the number of Spanish ships which arrived in China increased from 3 or 4 to 30 per year, and by 1856, this number had been 44.⁵⁴

The trade was already done directly with China. a trade agency was established in Xiamen and a Consulate in Guangdong, which was in fact a commercial agency of the Royal Philippine Company. After the bankruptcy of this company in 1832, the agents and officials withdrew from those cities. The British bought those buildings which were the offices of agencies. With the European invasion, China became a semi-colonial and semi-feudal country after the First Opium War. In 1870, the Chinese government had no longer sending ships to the Philippines. Meanwhile, Spain faced the emergence of England and other European

demarcation in subsequent centuries laid a firm basis for Brazil's claims to vast areas of the interior of South America." https://www.britannic.a.com/event/Treaty-of-Tordesillas

⁵³ Conrado Benítez, op. cit., p. 130.

⁵⁴ James F. Warren, Sino-Sulu Trade in The Cote Eighteenth and Nineteenth Century, *Philippine Studies*, No. 1. Vol. 25. 1977, p. 67.

⁵⁵ William C. Hunter, *Bits of Old China*, Edition by Kelly and Walsh, Shanghai, 1911.

countries, weakened as a powerful country. The Philippines became a colony of the United States of America because of the defeat of Spain in the war in 1898. Consequently, the trade disappeared, and the relations declined between China and Spain.

3. The Treaty of friendship, trade and navigation adjusted between Spain and China

After the Taiping rebellion, which broke out in 1851, the European colonial powers launched another rampant hunt for Chinese laborers on the coast of southeast China, taking advantage of the increasingly acute conflicts in China. The Western Coolie traffickers set up recruiting barracks in Amoy (now Xiamen), Swataw (now Shantou), Wampoa (now Huangpu), Hong Kong and Macau to facilitate their fraudulent strategies and criminal enlistment. The traffickers financed the construction of the supposed "Agencies", in the Chinese language known as "man hunting premises". In addition, they employed the "Zhu Cai Tou", who were ruthless Chinese Fraudsters, they served as their accomplices. Those "Zhu Cai Tou" pasted recruitment advertisements everywhere, in cities or in the peasant area of the southeastern coasts, frequented teahouses or taverns to deceive the ruined laborers looking to get out of their troubles. They tricked them and convinced them to go to America, they said that was "a world full of gold". To achieve their objective, the "Zhu Zai Tou" cheated people with "beautiful words". Sometimes they pretended t be the rich merchants who had luxurious shops adorned with exotic flowers and plants, where they lured the Chinese workers to tell them that they needed braceros in their shops overseas or they lacked companions in their business activities. They befriended anyone they met on the road or the boat, and even forcibly abducted the people who walked alone on the roads. The victims had already fallen into the hands of the "Zhu Cai Tou" before the realization of the wickedness.

The European traffickers themselves were also involved in these forced recruitment maneuvers. They sent fleets to "hunt" the fishermen around the coast of Xiamen. Because of these atrocities, there was a great panic in various coastal provinces of China. with that situation and the Manchu government's tolerance, leniency, protection and encouragement of those traffickers, the victims, who were very indignant, decided to riot and take revenge on their own hands. Watt Stewart (1892-1981)⁵⁶, a historian specializing in this subject, he noted in a commentary: "Around 1859, the frauds and atrocities committed in the coolie trade reached such an extent that there was a general panic. No one, when going out of the streets, felt safe, even during the daytime. Everyone was afraid of falling victim to fraudsters and abductors. The people, aware of the danger they faced, took the law into their own hands. Some Criminals were killed by the people in revenge".⁵⁷

The heroic struggle of the Xiamen people dealt a great blow to the foreign invaders who had committed those atrocities. As a result of those struggles, the

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⁵⁶ Watt Stewart: 1892-1981. He was a Professor of History at the New York State College for Teacher in Albany, New York. He was the author of a number of books on South American History, including Early United States-Argentine Diplomatic Relations (1925), Activities of Early Argentine Agents in the United States (1935), A Mexican and a Spaniard Observe the Shakers, 1830-1835 (1941), Henry Meiggs: Yankee Pizarro (1946, a novel about the successful railroad builder who built the second railroad in Chile, between Santiago and Valparaíso, as well as several in Peru; and Keith and Costa Rica: A Biographical Study of Minor Cooper Keith (1964), the American who made a fortune in Costa Rica by building its railroads, collecting its archaeological treasures, and introducing the banana as a staple on the world market. https://es.scribd.com/author/468897442/ Watt-Stewart
⁵⁷ Watt Stewart, *Chinese Bondage in Peru*, 1951, p. 32-33.

traffickers were unable to recruit anyone for months. 58 The Spanish consul in Xiamen city analyzed it in detail, in the report he made for the Spanish government, about the chaos and severe crisis caused by the European colonialists. Through that consular report, we can see the policy and tactics undertaken by the Spanish government and its diplomatic envoys in China. this important document can be consulted entirety in the work by Pastrana. 59 In such serious circumstances, the Spanish Court issued a Royal Order on December 28th of 1859, suspending the entry of Asian colonists into Cuba "because of the obstacles encountered in the ports of China for recruiting". The governor of Cuba, Francisco Serrano (1810-1885), in compliance with the aforementioned Royal Order, declared the introduction of Chinese people to the island suspended in a decree of February 10th of 1860: "In order to not harm the interests of those people who had orders and contracts with Asians, the expeditions of these arriving from the date of the present agreement until next December, it would be indistinctly admitted by the way of tolerance, unless extraordinary circumstances prevent it". 60 Despite the enactment of the entry of Asians to the islands, the activities continued illegally, due to the urgent need for foreign laborers in Cuba. The recruitment was not limited, but it extended to Nan'ao (a country of Shantou city, Guangdong province), Jinxingmen (an anchorage of Zhuhai city, Guangdong province), Shantou (a city of Guangdong province), and Huangpu (a district of Shanghai), and from there it gradually moved to Macao. Around 1870, Macau had become the center of recruitment, the Chinese laborers were shipped to the island of Cuba from there.

As we noted above, those tasks were carried out by international criminal bands. To get out of trouble, the Spanish government tried to monopolize the recruitment of coolies for Cuba through its diplomats. That was in vain, as the Spanish government had not taken part in the Anglo-French military invasion of China in the Second Opium War (1856-1860),61 and did not gain the "legitimate right" to recruit the colonists that Britain and France had. The Spanish government opted to intensify diplomatic negotiations with the Chinese government to obtain the same right of conscription, secured by the treaty. On the other hand, it asked for help from the Anglo-French invaders in Guangdong in conducting its activities. In fact, he succeeded in both objectives. He entered into talks with the Guangdong authorities to submit a request for the establishment of the "Spanish Recruiting Agency". The governor of Guangdong and Guangxi provinces, Chongguang Lao (1802-1867), under the Western Country's pressure, agreed that Spain could make an arrangement under the same conscription statutes as England and France. 62 In 1861, the newly organized Ministry of Foreign Affairs of the Qing dynasty wrote a letter to the Minister of Maritime Commerce, the governor of Guangdong and Guangxi, and the governor of the Fujian and Zhejiang provinces. When the Spanish consul in Guangdong asked again for the establishment of a recruiting agency, the

⁵⁸ 田汝康, 1852 年厦门人民反对英国侵略者掠卖华工罪行的反抗运动, 载《光明日报》, 1957 年 7 月

 $^{4~\}boxminus$. [Rukang Tian, The fight of the People of Xiamen against the English invaders for their crimes in hunting the Chinese, 1852, Guangming Newspaper, July 4th of 1957.]

⁵⁹ Juan Jimenez Pastrana, *Los chinos en las luchas por la liberación cubana* (1847-1930), published by Instituto de Historia, 1963. p. 28.

⁶⁰ Juan Jimenez Pastrana, op. cit. p. 41-42

⁶¹ Juan Jimenez Pastrana, op, cit. p. 28.

⁶² 海关档案,咸丰十年三月十二日,粤海关监督毓清致税务司吉罗福照会。[*Customs Archives*, March 12th, Year 10th of Xianfeng Emperor, Note from Yu Qing, Superintendent of Guangdong Customs, to George B. Glover, the Director of Customs.]

governor of the Qing dynasty replied: "Luzon has not signed the treaty with our country. That is why I cannot accept your request." 63 Thus, the Spanish government's request was officially rejected by the Qing government.

In the autumn of 1864, the French consul in Guangdong made an application for a recruiting agency on behalf of a merchant from his country. Hongbin Mao (1806-1868), the governor of Guangdong and Guangxi provinces during 1863 and 1865, initially agreed, but after learning that the French recruits were destined for Havana, he immediately sent a note saying: "Luzon has not signed the treaty with Spain on this matter. If we allow them to recruit, other countries will arrive to do the same and complications will arise. We cannot accept the departure of the settlers recruited by this French merchant for a colony in Luzon. It would be better to order the suspension of the merchants' activities.

The French consul justified his compatriot's conduct by saying that Clause 9 of the additional treaty signed by China and French stated: "if the Chinese want to leave their country voluntarily in search of work, then can do it in the French colonies or other overseas lands by the contracts." The consul underlined the words to other overseas lands. "The Treaty does not say that the ship can only go to France and to lands, the metropolis has signed the treaty with Chin." The French consul refused to acknowledge that France was in breach of the signed treaty by transporting the Chinese coolies to Havana. He went so far as to ask the Chinese government for compensation because "exactly according to the permission of former Governor Duanshu Yan (1800-1882) the French merchants paid a lot for the establishment of the agency, and the French Consulate had informed the request of the French Court in Beijing."

The Qing government replied in another note that the former governor had accepted the French government's request because the French merchant had not declared his service to the Spanish government, concerning the recruitment and that the unpleasant situation caused by "the dissimulation of the truth of this merchant and the establishment of the agency is against the Sino-French Treaty. Your Excellency, who is a very fair consul in your important work, will know that we did not punish the above merchant because we are indulgent. But the indemnity is totally unreasonable." In the treaty with Spain, the Chinese government maintained a little different attitude from that with Britain and France, because it realized in time that the Spanish government did not have the same power as the other two countries mentioned before, which it submitted and obeyed unconditionally. However, after China offended Spain over an insignificant issue, it was willing to show more comprise. This led to the Treaty of Tianjin, it was signed in Tianjin city on October 10th of 1864 by the Qing government and Spanish government.

Treaty of friendship, trade and navigation adjusted between Spain and China

Signed at Tianjin on the October 10th, 1864⁶⁴

⁶³ 总署清档,同治三年九月初七日,两广总督毛鸿宾为法人拟在省城设公所招工去古巴现饬令停止制总署咨文。[*The Archive of the Ministry of Foreign Affairs of Qing Dynasty*, September 7th of the Year 3rd of Tongzhi Emperor, The advisory documents of Hongbin Mao, the Governor of Guangdong and Guangxi, who had proposed to set up a public office in the provincial capital to recruit the workers to go to Cuba and ordered the General Administration to stop the affair.]

⁶⁴ Treaty of friendship, trade and navigation adjusted between Spain and China: [Tratado de amistad, comercio y navegación ajustado entre España y China]: the original documents were kept in the Nacional Library of Spain (Biblioteca Nacional de España, Spanish Version), signatura VC/2178/61,

MRS Isabel II, by the grace of God and the Constitution of the Spanish Monarchy, Queen of Spain. To all who shall see and understand the present, it be known: the Spanish Cortes has decreed and sanctioned the following:

SOLE ARTICLE. The government of Her Majesty is authorized to proceed to the ratification of the Treaty of Friendship, commerce and navigation adjusted between Spain and China and signed at Tien-Tsin by the respective Plenipotentiaries on the October 10th of 1864.

Therefore:

We command all Courts, Justices and Judges, Governors and other Authorities. The Governors and other Authorities, civil, military and ecclesiastical, of whatever class and dignity, to keep and enforce the present law in all its parts, and to ensure that it is kept, complied and executed.

Given at the Royal Site of Aranjuez on May fourteenth, one thousand eight hundred and sixty-six, Myself, the Queen. The Minister of State, M. Bermúdez de Castro.

Her Majesty the Queen of Spain and His Majesty the Emperor of China, wishing to establish on solid foundations by a solemn Treaty of relations of friendship and commerce, which have existed for a long time between the Kingdom of Spain and the Chinese Empire, and have appointed by their Plenipotentiaries, namely:

Her Majesty the Queen of Spain, to Mr. Sinibaldo de Mas, Great Cruz of the American Royal Order of Isabel the Catholic, her Envoy Extraordinary and Minister Plenipotenitiary.

His Majesty the Emperor of China, to Shie⁶⁵, Imperial Commissary, decorated with the insignia of the first degree, Member of the Ministry of Foreign Affairs, and to Tchung⁶⁶, Councilor of State in the Ministry of War, Superintendent of the three commercial ports of the North and Imperial Commissary; who, after having exchanged their respective faculties, found in a good and right form, have agreed in the following articles:

Article 1. The constant peace and friendship shall be continuing to exist between Her Majesty the Queen of Spain and His Majesty the Emperor of China, whose respective subjects will also in the dominions of the High Contracting Parties have the most complete and determined protection in respect of their persons and property.

Article 2. her Majesty the Queen of Spain may, if she considers it convenient, appoint a diplomatic Agent close to the Court of Beijing, and His Majesty the Emperor of China may in the same way, if he considers it opportune, appoint a diplomatic Agent close to the Court of Madrid. The Diplomatic Agents of Spain and

66 Tchung: Hou Chong (崇厚), 1826-1893.

Identificado: bdh0000144623; 中国第一历史档案馆(The First Historical Archives of China), 清代外务 部中外关系档案史料汇编——中西关系卷,第一册。[Collection of the Archives and Historical Material son China-Foreign Relations of the Ministry of Foreign Affairs of Qing Dynasty, China-Spain Relations' Part, Volume 1.]

Tien-sin: es Tianjin, fue el lugar donde firmaron el tratado.

⁶⁵ Shie: Huan Xue (薛焕), 1815-1880.

China will reciprocally benefit in the place of their residence, form the privileges and immunities granted by the law of nations: their persons, families, houses and correspondence shall be inviolable.

They will not be obstructed in the choice or employment of their dependents, couriers, interpreters, servants, etc.

The costs of any kind incurred by diplomatic missions shall be paid by the respective governments.

The Chinese Authorities should give the Diplomatic Agent of Spain all the necessary facilities to rent land or a suitable house in the capital when they should establish their residence there.

Article 3. It is also agreed that neither the representative of Her Majesty Catholicism nor the members of her retinue will be obstructed or difficult in their travels, and they may go wherever they like.

The mentioned representative will have complete liberty to send and receive his correspondence, and communication for this purpose with the point of the coast of his choice, and his letters and effects will be sacred and inviolable. For his transmission, he may employ special couriers, who will be afforded the same protection and facilities in making their voyage as persons employed by, the Imperial Government in carrying offices, and will be afforded generally the same privileges as the officials of the same rand, according to the practice sanctioned by the Western nations.

Article 4. in all the ports of China open to commerce, Her Majesty Catholic may establish the Consuls to deal with the commercial business and see to the observance of all the articles of the Treaty.

This Consuls and the persons who are in charge of Consulates will have the honors of District Intendants or Tan-tai, and the Vice-Consuls, Consular Agents and Translator-Interpreters of Prefects, will have the same attributions as the consular officials of the other nations. They will have access to the official residences of the Authority, personal communication or writing, on the basis of perfect equality.

Those officials will be employees of the Spanish Government, with the same pay, and not merchants.

In the mercantile ports of less importance, the Spanish Government may assign to their Consulate a Consul of another nation, and the Consul is not a merchant.

Article 5. it is understood that the Spanish merchant vessels may frequent the following ports: Uin-chuang⁶⁷, Tien-Tsin, Chi-fu⁶⁸, Shang-hay⁶⁹, Ning-po, Tu-chau⁷⁰, Emuy⁷¹, Tainan-fu and Tam-sui⁷² in the Formosa⁷³ island; Cantón⁷⁴, Sua-Tan⁷⁵,

⁷⁰ Tu-chau: currently, Fuzhou of Fujian province of China.

⁷⁴ Cantón: currently, the Guangdong province of China.

⁶⁷ Uin-chuang: Nluzhuang, actualmente es la ciudad Yingkou de la provincia Liaonin de China.

⁶⁸ Chi-fu: actualmente es la ciudad Yantai de la provincia Shandong de China.

⁶⁹ Shang-hay: Shanghai.

⁷¹ Emuy: currently, Xiamen of Fujian province of China.

⁷² Tam-sui: currently, Danshui of Taiwan.

⁷³ Formosa: currently, Taiwan.

⁷⁵ Sua-Tan: currently, Shantou of Guangdong province of China.

Chiun-chan ⁷⁶ in Hainan island; Chen-chiang ⁷⁷, Hang-kao ⁷⁸ y Chu-chiang ⁷⁹ in Yang-tse-Kiang River, and Nankin⁸⁰.

The Spanish subjects will be allowed to trade in the aforementioned ports with the persons they want, and to go in and out with their merchandise. They will also be allowed to build and rent houses and lands, and to build hospitals, churches and cemeteries.

Article 6. By inculcating the Cristian Religion in the practice of virtue, and teaching the man not to do what he does not wish to be done, the persons who teach or profess will be entitled to the protection of the Chinses Authorities, and will not be persecuted or hindered in any way, they pursue their mission peacefully and do not break the laws.

Article 7. any Spanish merchant, after unloading the goods in any open ports, has paid the corresponding duties, as well as any other Spanish subject, will be allowed to travel in the interior of China, on condition that they are in possession of a passport, which will be issued by the Consul and countersigned by the local Authorities. The holder of a passport must present it at the points which he passes by when he is asked for it; if his passport is in order, no one may impede him from freighting vessels or contracting persons to conduct baggage and merchandise. If a voyager was found without a passport, or if he commits any infraction against the law, he will be delivered to the nearest Consul for punishment, it was no other measure of repression can be used against him by the Chinese authorities.

The passport is not required for persons who travel within five days of any open port to trade and within a distance of 100 lis (50 kilometers).

The stipulations of this Article do not refer to the crews of ships, because the Consuls and the local Authorities will establish convenient rules in respect of these themes.

For any of the points which it is in rebellion against the Government, the passports will not be issued until there is complete peace in the country.

Article 8. When any Spanish subject wanted to build or open houses, warehouses, churches, hospitals or cemeteries in the ports or other points of China, the contract for the purchase or rental of these properties will be made under the conditions which used generally by the Chines people, with equity and without the payment of any taxes by the parties. It is to be understood that will be permitted the establishment of warehouses only in the open ports.

Article 9. The Chinese Government will not oppose in any way that the Spanish subjects employ the Chinese subjects in any lawful occupation. In the same way, the Chinese may take the service of the Spanish subjects.

Article 10. The Imperial Authorities will permit the Chinese subjects who want to work in the Spanish overseas territories under a contract with the Spanish subjects, and to embark alone or with their families in any of the open ports of China,

⁷⁶ Chiun-chan: Qiongzhou, currently, Haikou of Hainan province of China.

⁷⁷ Chen-chiang: currently, Zhenjiang of Jiangsu province of China.

⁷⁸ Hang-kao: currently, Hankou of Wuhan province of China.

⁷⁹ Chu-chiang: currently, Jiujiang of Jiangxi province of China.

⁸⁰ Nankin: Nanjing.

and the local Authorities will establish the necessary regulations in each port, in agreement with the Representatives of Her Majesty Catholic, for the protection of the mentioned workers.

Who will not be admitted that the deserters and the people who have been taken against their will; if necessary, the local authority will officiate the Spanish Consul to return them.

Article 11. The Spanish subjects may freight such vessels as they may desire for the carriage of charge or passengers, and the price of such freight will be determined solely by the parties without the intervention of the Chinese Government.

The number of vessels will not be limited, nor anyone whatsoever is allowed to monopolize them, nor the laborers or coolies who are employed in loading merchandise.

When it is discovered that contraband is introduced into any of the vessels, the culprits will be punished according to the law.

Article 12. All the differences which are generated by the Spanish subjects, whether the concerned personal rights or the rights related to the property, will be submitted to the jurisdiction of the Spanish Consuls.

All the controversies occurring in China between the Spanish subjects and other foreign nations' subjects will be settled according to the existing treaties between Spain and the other nation, without any intervention of the Chinese authorities. But, if the Chinese subjects will be involved in those disputes, the local authority will take part in the judicial proceedings, as the cases which is providence in Articles 13 and 14.

Article 13. All the Chinese subjects who were culpable of any criminal act which is committed against any Spanish subjects, will be reduced to prison and punished by the Chinese Authorities, in accordance with the laws of China, preceded by the denunciation of the Spanish Consul.

The Spanish subject who commits any criminal offense in China will be judged by the Consul or any other Spanish public official authorized for this purpose, in accordance with the laws of Spain, preceded by the denunciation of the Chinese Authorities.

In the case of grave crimes, such as homicide, robbery with serious injuries, attacks against life, premeditated incendiary, etc., the offender, after the corresponding investigation, will be sent to Manila to be punished in accordance with the laws of Spain.

Article 14. Any Spanish subject should present his complaint to the Consul when he has suffered offense from a Chinese, who should inform the matter and use his best to bring it to an amicable conclusion. In the same way, when a Chinese subject has a complaint against a Spanish, the Consul will not disregard his complaint, and will do the possible to re-establish harmony between the two parties. However, if the question cannot be settled in this way naturally, the Consul will ask the Chinese Authorities to assist in the investigation of the case in order to decide it with equity by common agreement.

Article 15. the Chinese Authorities should afford the fullest protection to the persons and properties of the Spanish subjects, whenever they are in danger of suffering any insult or injury.

In the cases of robbery or incendiary acts, the local Authorities should immediately take the necessary measures to recover the stolen property, put an end to the disorder and ensure that the criminals are apprehended and punished in accordance with the law.

Article 16. If a Spanish merchant vessel was stolen by pirates or robbers in the waters of China, the Chinese Authorities should use their best to apprehend and punish them, to recover the stolen property, which will be restituted to whom it belongs through the intermediary of the Consul.

If the corresponding Chinese Authority is unable to apprehend the culprits and return the stolen property, they will be punished in accordance with the laws of China; but it is not obliged to compensate for the loss.

Article 17. If any Spanish vessel is wrecked on the coasts of China, or is obliged to shelter in any of the ports of the Empire, the Chinese Authorities, as soon as they receive the news of the event, should take the necessary measures to assist and protect it, receiving the crew in a friendly manner and, if necessary, providing it the transport to the nearest Consulate.

Article 18. Any Chinese subject who is guilty of any crime, who finds asylum in the habitation or the ship on board of any Spanish subject in any ports of China, far from being received and concealed, should be handed over to the Chinese Authorities after having claimed from the Spanish Consul established in that port. In the same way, if any Spanish sailor or sailors desert their ship and take refuge in any Chinese vessel or house, the Local Authority, as soon as it has received the complaint of the Agent of Her Majesty Catholic to that effect, will take the necessary measures to discover the fugitive, and after having arrested him, will hand him over to the mentioned Agent of the Spanish Government.

Article 19. If any Chinese subject neglect to pay a debt contracted with a Spanish subject, or hide with intent to defraud, the Chinese Authorities should use their best to apprehend him and oblige him to pay. The Spanish Authorities proceed in the same way with a Spanish subject who fails to pay a debt to any Chinese subject, but the respective Governments are not obliged in any way to indemnify the creditor.

Article 20. All Spanish merchant vessels which measure more than 150 tons must pay tonnage duties at the rate of four maces⁸¹ of silver for each ton. If it measures 150 tons or less, it will pay in the amount of one mace.

The Superintendent of Customs should be required to a certificate of the tonnage duties which have been paid.

For the effects of this article, it should be understood that the tonnage is the same size as the English tonnage.

⁸¹ Mace: according to the original version of the Chinese language, it is "Qian", it was the unit of measurement used in ancient times in China, one "Qian" equalled 3,125 grams, four maces = four "Qian" = 12.50 grams.

Article 21. The Spanish subjects will pay for all merchandise imported or exported by themselves the duties established by the tariff adopted for other nations, and in no case, they will be required to pay higher duties than which are paid by the subjects of any other foreign nations.

Article 22. the Import duties should be paid when the goods are unloaded, and the export duties should be paid when the goods are shipped.

Article 23. each of the High Contracting Parties may, after 10 years, request the revision of the tariff or the commercial articles of this Treaty, it is understood that if this request is not made within six months, counted after the first 10 years, the same tariff should be continued in effect for another 10 years, counted on the first 10 years, so, on for 10 years thereafter.

Article 24. Any Spanish merchant who brings to a port the goods purchased in an interior market of the country, or transports to an interior market the goods coming from a port, has the option of liberating all transit duties by paying a single tax as prescribed in Article 7 of the Commercial Convention adopted by the other nations.

The amount of this tax should be half of the amount of the duties of the tariff, except in the case of the goods which are exempt from duties and subject to a transit tax of two and a half percent *ad valorem*, as stipulated in the Article 2 of the Commercial Convention adopted by the other nations.

The payment of these transit duties will not in any way alter the duties of the tariff on the import and export of the goods, which will continue to be paid separately and completely.

Article 25. Any Spanish vessel which is dispatched from one of the open ports of China to another port or to Hong Kong or Macao, is entitled to a certificate from Customs exempting the new payment of tonnage duties for a period of four months, counted from the date of the dispatch.

Article 26. All Spanish captains of vessels may leave without opening their hatches within 48 hours, counted from the arrival of their vessel at any ports of China, but no later, and in this case, they will not have to pay the tonnage duties.

However, it is obliged to report their arrival for registration as soon as the vessel enters the port, if they fail to inform within two days, they will pay a financial penalty. Therefore, the vessel will be subject to the payment of tonnage duties within 48 hours after its arrival at the port, and will no other tax of any kind be demanded at that time or on the departure.

Article 27. It will be exempt from payment of the tonnage duties of all the vessels employed by Spanish subjects in the carriage of passengers, baggage, correspondence, provisions or any other charge between the open ports of China. It will pay tonnage duty every four months and one mace per ton for all the loaded vessels which carry goods.

Article 28. the Consuls and the Superintendents of the Customs must agree, when it is necessary, on the construction of the lighthouses and the placement of buoys or baros lampposts.

Article 29. The duties should be paid to the bankers authorized by the Chinese government, in *Saici* silver⁸² or foreign currency, which should be taken at the same exchange rate as other merchants, and never at a higher rate.

Article 30. To ensure the uniformity of weights and measures, to avoid confusion, the superintendent of Customs will deliver to the Consul at each open ports, the marks or standards conforming to which is given by the Public Revenue Department to the Customs of Canton.

Article 31. All the Spanish vessels which are on approaching any of the open ports, will have the right to take a practice to facilitate their entry, and can take one for their departure when it is convenient and has paid all the duties at the port.

Article 32. Whenever a Spanish merchant vessel arrives at any of the open ports of China, the Superintendent of Customs will send one or more guards, who may stay on the vessel or go on board, as seems best to them. These guards will receive their maintenance and everything else they need from the Customs, and may not accept any gratuity from the Captain of the vessel or the Consignee, under a penalty proportional to the amount of what they have accepted.

Article 33. Twenty-four hours after the arrival of a Spanish merchant vessel at any of the open ports, its papers, bills of lading and other documents should be handed over to the Consul, equally the Consul must inform the Director of Customs about the name of the vessel, the number of its tons and the load which it is carrying.

If, for negligence or any other reason, in 48 hours after the arrival of the vessel, the stipulations have not been complied with, the captain will be fined 50 taels for each day of delay, not exceeding, however, the total penalty of 200 taels.

The captain of the vessel is responsible for the exactitude of the manifest, he must declare the load thoroughly and truthfully, under the penalty of 500 taels in the event that the manifest proves to be inexact. However, it is not incurred the penalty if, he wants to correct any error that he has discovered in the manifest within 24 hours after handing over it to the Customs employees.

Article 34. The Director of Customs will allow the vessel to unload as soon as he has received from the Consul the note in the due terms. If the Captain of the vessel discharges without permission, he will be fined 500 taels and the objects discharged will be confiscated.

82 Saici Silver: According to the Official Gazette of Philippines on Wednesday, August 11th, 1858: the

but a little coarse and convex on the inner surface: it has some resemblance to the figure of a shoe and therefore, sometimes it is given this name. The gold and silver bars are also brought to China from South America and re-exported, but not in large quantities."

gold and silver cannot be legally exported from China, except the limited quantities and foreign metal. The enormous sums are extracted annually, not only in Spanish coin, but also in gold and laminated silver. The gold and silver mainly mined in the form of planchettes; but sometimes also in bars and ingots. The laminated silver or «saici» is the metal in which the Government's receipts and payments are made. It is derived from «sai-sy» which literally means «fine flower of silk», the usual name is «wang ying». They are cast in different sized and figures, varying in weight from 1 to 20 taels (Tael: it is a unit of weight traditionally used in East Asia, equivalent to around 50 grams in nowadays). Sometimes it is said that like fractional parts of the tael, but it is rarely used. The most common weight of the ingots is 10 taels apiece, and the figure is a parallelogram, smooth and flat on the top,

Article 35. All the Spanish merchants who have to embark or disembark will obtain special permission for this purpose from the Superintendent of Customs, without this special permission, all the goods embarked or disembarked will be subject to confiscation.

Article 36. The goods may not be transshipped from one vessel to another without the special license, under the penalty of confiscation of all the transshipped goods.

Article 37. When the vessel has paid all the duties of the port, the Superintendent of Customs will issue a certificate, and the Consul will return the papers to the vessel so that it can continue its voyage.

Article 38. When it is doubt as to the value of the goods, according to the tariff which are debited *ad valorem*, and the Spanish merchant cannot agree to the value of such goods with the Customs employee, each of the parties can call two or three merchants to see the goods, and the highest price with any one of them offers for comparison will be the value.

Article 39. The duties will be paid according to the weight of each merchandise after deducting the tare weight, each of the parties will choose a certain number of boxes or bundles from each hundred of the merchandise in question, and the gross weight of these packages will be determined, then the tare weight of each one will be fixed, the resulting of the average of tare weight will be adopted for all of them.

If any other doubt or disagreement occurs which is not indicated here, the Spanish merchant may appeal to his Consul, who will communicate the matter to the Superintendent of Customs, and it will be terminated amicably.

The appeal, however, can only be admitted when it is presented within a period of 24 hours, and in this case, until the doubt is resolved, it cannot be made in the books of the Customs concerning the goods in question.

Article 40. The damaged goods will obtain a reduction of duties proportional to the deterioration. In the case of the arising debts, those goods will be settled as stipulated in Article 38 of this Treaty, and the payment of *ad valorem* duties will be regarded as the goods.

Article 41. All the Spanish merchants, after importing the goods into any of the open ports and having paid the corresponding duties, who want to reexport their goods, can request permission from the Administrator of the Customs, in order to avoid fraud, their employees examine whether the duties paid on the mentioned goods, as recorded in the books of the Customs and in accordance with what is requested, whether the goods retain the original marks. If any fraud is discovered by the Customs in that examination, the goods will be confiscated by the Chinese Government.

Having complied with this requirement, the Spanish merchant, on reexporting the foreign goods to a foreign port or to other Chinese ports, will be entitled to a certificate of the import duties which he has paid.

When reexporting a Chinese product to a foreign country within one year, the Spanish merchant has the right to a certificate about the amount of the tax corresponding to the cabotage trade paid in the mentioned article.

These certificates should be admitted at the Customs office of the port where they have been issued in the payment of import or export duties. The foreign grains which have been brought into any of the Chinese ports by a Spanish vessel, may be reexported without difficulty when the goods have not been unloaded by any part.

Article 42. The Chinese Authorities will adopt such measures in all ports as they may judge the most convenient to prevent fraud or contraband.

Article 43. The Spanish merchant vessels can only frequent those Chinese ports which have been declared open to trade in this Treaty. It is therefore prohibited for them to enter other ports, as well as to engage in clandestine trade on the coasts of China or the Yang-Ise Kiang⁸³, and whoever violates this provision should be subject to confiscation by the Chinese Government with all the load on board.

Article 44. It is lawful for the Spanish vessel to carry the Chinese effects along the coast from one port to another which is open to trade, paying the customs duties at the point of embarkation, and the cabotage duties (the amount of which will be half of the customs duties) at the port where the discharge is verified.

When a Spanish merchant reexports the Chinese goods with direction to a port of the Chinese costa within one year, he will be entitled to a certificate of the cabotage duty (which is half of the duty indicated in the tariff), it is no export duty of embarkation which should be required; but on the unloading of the mentioned goods at the port where he goes, he has to pay the half of the duty indicated in the tariff.

Article 45. If any Spanish merchant vessel is found to do contraband, the entire merchandise, whatever its value and nature, should be subject to confiscation by the Chinese Authorities, which can order the vessel out of the port after when it has settled all its accounts, and prohibit it to continue the trade.

Article 46. The product of the penalties and confiscations imposed on Spanish subjects for the infringements of this Treaty will belong to the Chinese Government.

Article 47. The Chinese merchant vessels, without limitation of number, can go to trade in Philippine Islands and should be treated as those of the most favored nations. If Spain concedes in advance the new advantages to the merchants of another nation, the Chinese merchants will enjoy them as the most favored nations.

Article 48. All the Spanish war vessels which come with friendly intentions or in pursuit of pirates, will have full liberty to visit any port of the dominions of the Chinese Emperor, and to water or buy provisions there, for which purpose every kind of assistance, as well as to make repairs when it is necessary.

The Commanders of the vessels must deal with the Chinese Authorities on the terms of equality and courtesy.

⁸³ Yang-Isa Kiang: Yangse River.

Article 49. None of the Spanish merchants or vessels will be allowed to ship any kind of provisions, arms or ammunition to the rebels or pirates.

In the case of contravention, the vessel and the load will be confiscated, and the culprit will be handed over to the Spanish government to be punished to the full extent of the law.

Article 50. All the advantages and immunities that the Chinese Government grants currently or may grant in the future to any other nation, whatever it may be, it should be extended to the Spanish Government and its subjects and Spain should be treated in all respects as the friendliest and favored in the Celestial Empire.

Article 51. The official correspondence which was sent by the Spanish diplomatic and consular agents to the Chinese Authorities, should be written in Spanish and accompanied by a Chinese translation.

In the same way, the present Treaty should be written in Spanish and Chinese, confronting duly the two texts, and the version which is written in its own language, should be served as the rule for each nation.

The formulas for the official correspondence between the Spanish and Chinese Authorities should be regulated by the respective hierarchies and positions, on the basis of the most complete reciprocity. Between the high Spanish officials and the high Chinese official, in the capital or any other place, these correspondences will have the form of official or communication (chaujuei⁸⁴); it will be used in the form of exposition (sheu-cheu⁸⁵) between the subordinate Spanish officials and the first Authorities of the provinces, and for the latter of the declaration (chau-shing⁸⁶), and the subordinate employees of both nations should write to each other in terms of perfect equality.

The Businessmen, and generally, all the individuals, who are not in an official capacity, will observe with the Chinese Authorities the form of representation (pingcheu⁸⁷).

When any Spanish subject must go to the Chinese Authority of the district, firstly, he should take his application to the Consul, who, if he cannot encounter any inconvenience in them, will hand it over, otherwise, he will have it in other terms or refuse to transmit it. Similarly, when a Chinese subject must apply to the Spanish Consul, he only can do it through the Chinse Authority, who will proceed in the same manner.

Article 52. The ratifications of the present Treaty by H.M. the Queen of Spain and H.M. the emperor of China should be exchanged at Tien-Tsin or Shang-hay within one year from the date of the signature.

After the ratification, the Chinese Government will transmit the knowledge of the Treaty to the superior Authorities of all the provinces for its complete execution.

In witness whereof, the respective Plenipotentiaries have signed and sealed the present Treaty in quadruplicate at Tien-Tsin on the October 10th, 1864.

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⁸⁴ Chaujuei: the pronunciation of Chinese language, it should be "Zhao Hui (照会)".

⁸⁵ Sheu-cheu: the pronunciation of Chinese language, it should be "Shen Cheng (申呈)".

⁸⁶ Chau-shing: the pronunciation of Chinese language, it should be "Zhao Qing (照请)".

⁸⁷ Ping-cheu: the pronunciation of Chinese language, it should be "Bing Cheng (禀呈)".

(L.S.)-Signed-Sinibaldo de Mas.

(L.S.)-Signed-Tchung-ho-Shie-joan.

This Treaty has been duly ratified, and the change of the ratifications has been verified in the customary manner.

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