

7.4 *Annexed Laws on Banning Opium, July 1839*FURNACE KEEPERS OR WHOLESALE  
DEALERS

Whoever shall hereafter open a “furnace,” and connive with and secretly buy opium of the outside barbarians, storing it up for sale, shall, if he be the principal, be decapitated immediately on conviction.

The royal authority shall be respectfully produced and the law executed, ere a report is sent to the crown. The head of the offender shall then be stuck upon a pole, and exposed upon the seacoast as a warning to all. The accomplices, advisers, participators, receivers, givers (those who deliver the drug), and boatmen who knowingly receive opium on board their boats for transport, shall be sentenced to strangulation and thrown into dungeons to wait the royal warrant for their execution. The houses and boats of these parties shall be sequestered.

1. Any officer or soldier on the coast station who shall receive bribes to connive at opium being brought in, whether the quantity be large or small, shall immediately upon conviction be strangled. He who, knowing it to be such, allows opium to be brought in, but without receiving a bribe, shall be transported to Xinjiang [Chinese Turkestan].
2. If any persons join together and open a furnace for the purpose of selling opium, he who originates the plan shall be considered as the principal.
3. He who stores opium brought by the foreign ships shall be dealt with in the same manner as accomplices in a “furnace.” He who, knowing it to be such, consents to conceal opium for any notorious dealers who may have fallen into the hands of government, shall be punished one degree less severely than the principal.
4. He who receives a bribe to release any opium seller or smoker from his custody, shall be punished in the same manner as if he were an opium seller or smoker himself. Should the amount received be considerable, he shall be held punishable under the law against “false and malicious information.”
5. Any jailor who shall buy opium and supply it to the prisoners under his charge, shall be transported to the most distant and unhealthy settlements. Any guard or overseer, guilty of a similar offence, shall be transported to a nearer settlement; should the amount received for purchases be considerable, it shall be computed and the offender held punishable under the act against “False and malicious information.”
6. Any soldier or policeman, or any of those idle blackguards who infest every place, who shall, without a warrant, enter a house and under pretence of searching for opium forcibly carry off other articles, or who shall,

through malice or a desire to extort money, themselves secrete opium in the house, that an accusation may be supported [against their victim], shall, whether principal or accomplice, be held punishable under the law against "false and malicious information," and transported to the most distant settlements. If the amount stolen shall exceed in value 120 taels, the principal shall be sentenced to strangulation, and kept in prison till the warrant for his execution shall arrive.

7. All persons sentenced to transportation for crimes connected with opium shall be excluded from the benefit of the law respecting "indulgence to offenders for the sake of their parents."

## SECTION 2ND. KEEPERS OF RETAIL AND SMOKING SHOPS.

Any person who shall keep a shop for selling opium to be smoked on the premises, shall, if the principal, be sentenced, on conviction, to immediate strangulation, and his house shall be sequestered. Accomplices, accessories, or those who knowing for what purpose, still consent to let their houses to such characters, shall, on purpose, still consent to let their houses to such characters, shall, on conviction, be transported to Xinjiang to be slaves to the military, and their houses sequestered. Any soldier or policeman who shall receive a bribe for conniving at and "securing" these dens, shall receive the same punishment as a principal. "Ground-sureties" and neighbors, who know of the existence of such places and do not report the same to government, shall be punished with 100 blows, and transported for 3 years. If they shall receive hush money, the amount shall be computed, and the law respecting "False and malicious information" put in force against them.

1. Any native traitor who shall cultivate the poppy for the purpose of expressing its juice to make opium, for preparations and sale, or who shall sell either the "paste" or "mud" to the extent of 500 taels, or if, altho' the amount does not equal that sum, he shall sell at a great number of different places and times, he shall, if apprehended within the next 18 months, be sentenced to strangulation [if a principal], and thrown into prison to wait the arrival of the warrant for his execution. Accomplices shall be transported to the most distant and unhealthy places. If any are convicted of selling only once or twice, the whole amount of such sales not being taels 500—they shall be transported, if principals to Xinjiang to be slaves to the military, if accomplices they shall be transported to a distance of 4000 le. After the expiration of the 18 months, both principals and accomplices shall be sentenced to be strangled. If any soldier or policeman receives a

bribe to connive at and screen them, he shall be punished in the same manner as the principal. If the amount received be considerable, it shall be computed, and the offender punished under the law against "false and malicious information." Any landlord, who, knowing for what purpose, lets a field or house to opium dealers, or any boatman who shall knowingly hire his boat for transporting the drug, shall, if the offence take place before the expiration of one year from this time, receive a hundred blows, and be transported 2000 li—if after one year, he shall be transported to the most distant settlement, if within half a year he shall be sentenced to receive a hundred blows and three years transportation. The fields, grounds, houses, and boats, shall in all cases be sequestered. If any dealer shall voluntarily confess his crime and cause by his information the apprehension of other dealers, he shall be pardoned, and his house, ground, or boat shall not be sequestered. If the parties implicated by the said person's confession shall escape and elude the vigilance of government, although his crime shall be pardoned, his house, ground, field, or boat shall not be confiscated. Any "ground surety" or neighbor, who knows of the existence of such dealers and does not forthwith inform against them, shall be punished with 100 blows. If he receives hush money, the amount shall be computed and the law respecting "false and malicious information" put in force against him.

2. The law against the crime of opium smoking, shall take effect in Peking from the day the sacred commands were received; in the provinces from the day that the commands of the board were made known. These were received in the city of Canton on the 26th day of the 5th moon from which time they will date in all the cities, and towns, throughout the province. One year from that date will be allowed for all to renounce the habit. At the expiration of that period all who have *not* renounced the habit, whether they be of the nobles, the military, or vulgar, shall on conviction be sentenced to strangulation and thrown into prison to wait the arrival of the warrant for their execution. If any are apprehended *within* the year of probation, if of the vulgar, they shall be punished with 100 blows and transported to a distance of 2000 li. &c. If they are unable to say from whom they got the opium, their punishment shall be one degree more severe; they shall receive 100 blows and transported to a distance of 2500 li; if of the Tartar soldiery, the offender shall first be expelled from his banner, (or regiment) and then dealt with as one of the common people; if a government underling, a relation of an officer, a secretary or follower, the offender shall be punished one degree more severely than a common man; if an officer of government, the offender shall be sent to Xinjiang on some degrading and laborious mission; if of the provincials or general army, the offender shall be transported to a shorter distance. . . .