



Treaty Series No. 20 (1933)

EXCHANGES OF NOTES

between the Governments of the United Kingdom, Brazil, France, Netherlands,
Norway and the United States and the Chinese Government renewing the
Agreement and Exchange of Notes of February 17, 1930
relating to the

CHINESE COURTS IN
THE INTERNATIONAL SETTLEMENT
AT SHANGHAI

[WITH DECLARATION]

Nanking, February 8 to 12, 1933

*Presented by the Secretary of State for Foreign Affairs
to Parliament by Command of His Majesty*

LONDON

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EXCHANGES OF NOTES BETWEEN THE GOVERNMENTS OF THE UNITED KINGDOM, BRAZIL, FRANCE, NETHERLANDS, NORWAY AND THE UNITED STATES AND THE CHINESE GOVERNMENT RENEWING THE AGREEMENT AND EXCHANGE OF NOTES OF FEBRUARY 17, 1930, RELATING TO THE CHINESE COURTS IN THE INTERNATIONAL SETTLEMENT AT SHANGHAI, WITH DECLARATION.

Nanking, February 8 to 12, 1933.

EXCHANGES OF NOTES.

No. 1.

Joint Note from Foreign Representatives to Dr. Lo Wen-kan.

Sir,

Nanking, February 8, 1933.

ARTICLE 10 of the agreement signed at Nanking on the 17th February, 1930,⁽¹⁾ between the representative of the Chinese Government on the one hand, and the representatives of the Brazilian, American, French, United Kingdom, Norwegian and Netherlands Governments on the other hand, relating to the Chinese courts in the International Settlement at Shanghai provides as follows:—

“The present agreement and the attached notes shall enter into effect on the 1st April, 1930, and shall continue in force for a period of three years from that date, provided that they may be extended for an additional period upon mutual consent of the parties thereto.”

It is now proposed, as arranged between us, that the said agreement and attached notes shall be extended for a period of three years from the 1st April, 1933; that either of the parties thereto may notify the other, six months before the expiration of the period, of their desire to denounce them; and that, in case both parties fail to do so in time, the agreement and attached notes shall continue in force thereafter until they are denounced by either of the parties thereto, of which denunciation six months' prior notice shall be given to the other party.

We have the honour on behalf of our respective Governments to agree to the proposed arrangements set forth above for the

(1) See “Treaty Series No. 20 (1930).” Cmd. 3563.

extension of the said agreement and attached notes and to request your Excellency's confirmation thereof.

We avail, &c.

AF. LOPES DE ALMEIDA,
in the name of the Brazilian Minister.

WILLYS R. PECK,
*Counsellor of Legation,
on behalf of the American Minister.*

PHILIPPE BAUDET,
in the name of the French Minister.

E. M. B. INGRAM,
on behalf of His Majesty's Minister.

N. AALL,
Norwegian Chargé d'Affaires, a.i.

THORBECKE,
Netherlands Minister

No. 2.

Dr. Lo Wen-kan to Sir M. Lampson.

Sir, *Nanking, February 8, 1933.*

I HAVE the honour to acknowledge receipt of your note of to-day's date which reads as follows:—

[As in No. 1.];

In reply I have the honour to confirm that the Chinese Government agrees to the proposed arrangements as set forth above.

I avail, &c.

LO WEN-KAN.

No. 3.

Joint Note from Foreign Representatives to Dr. Lo Wen-kan.

Sir, *Nanking, February 11, 1933.*

WITH reference to our recent conversations, we understand that measures are now under contemplation by the Chinese authorities for checking undue delay in civil proceedings, with special reference to matters of appeal and execution of judgment, and that such measures, when adopted, will apply also to the courts functioning

in the International Settlement at Shanghai. We should be grateful for your Excellency's confirmation of the above understanding.

We avail, &c.

AF. LOPES DE ALMEIDA,
in the name of the Brazilian Minister.

WILLYS R. PECK,
*Counsellor of Legation,
on behalf of the American Minister.*

PHILIPPE BAUDET,
in the name of the French Minister.

E. M. B. INGRAM,
on behalf of His Majesty's Minister.

N. AALL,
Norwegian Chargé d'Affaires, a.i.

THORBECKE,
Netherlands Minister.

No. 4.

Dr. Lo Wen-kan to Sir M. Lampson.

Sir, *Nanking, February 12, 1933.*

I HAVE the honour to acknowledge the receipt of your note of yesterday's date which reads as follows:—

[As in No. 3.]

In reply I have the honour to confirm that the above understanding is correct.

I avail, &c.

LO WEN-KAN.

DECLARATION.

Joint Note from Foreign Representatives to Dr. Lo Wen-kan.

Sir, *Nanking, February 8, 1933.*

WITH reference to the notes which we have exchanged to-day relating to the extension of the agreement concerning the Shanghai courts, we have the honour to renew the declaration made in our note of the 17th February, 1930,⁽²⁾ as follows:—

“We desire to point out that such agreement cannot in any way affect or invalidate rights guaranteed to the Powers concerned and to their nationals under existing treaties between such Powers and China, and we accordingly reserve our full rights

⁽²⁾ See “Treaty Series No. 20 (1930).” Cmd. 3563.

in this regard. We further reserve the right to object to the enforcement in the International Settlement of any future Chinese laws that affect or in any way invalidate the Land Regulations or By-laws of the International Settlement or that may be considered prejudicial to the maintenance of peace and order within this area."

We avail, &c.

AF. LOPES DE ALMEIDA,
in the name of the Brazilian Minister.

WILLYS R. PECK,
*Counsellor of Legation,
on behalf of the American Minister.*

PHILIPPE BAUDET,
in the name of the French Minister.

E. M. B. INGRAM,
on behalf of His Majesty's Minister.

N. AALL,
Norwegian Chargé d'Affaires, a.i.

THORBECKE,
Netherlands Minister.