

N° 3738.

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## CHINE ET FRANCE

Convention réglant les rapports entre les deux pays relativement à l'Indochine française et aux provinces chinoises limitrophes, et annexes, signée à Nankin, le 16 mai 1930, avec échanges de notes y relatifs, Nankin, les 2 et 5 septembre 1933 et le 4 mai 1935, et protocole d'établissement des listes A et B et déclaration, signés à Nankin, le 4 mai 1935.

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## CHINA AND FRANCE

Convention concerning the Relations between the Two Countries with regard to French Indo-China and the Adjacent Chinese Provinces, and Annexes, signed at Nanking, May 16th, 1930, with Exchanges of Notes relating thereto, Nanking, September 2nd and 5th, 1933, and May 4th, 1935, and Protocol establishing Lists A and B, and Declaration, signed at Nanking, May 4th, 1935.

N<sup>o</sup> 3738. — CONVENTION<sup>1</sup> RÉGLANT LES RAPPORTS ENTRE LA CHINE ET LA FRANCE RELATIVEMENT A L'INDOCHINE FRANÇAISE ET AUX PROVINCES CHINOISES LIMITOPHES. SIGNÉE A NANKIN, LE 16 MAI 1930.

*Textes officiels français et chinois communiqués par le directeur du Bureau permanent de la délégation chinoise près la Société des Nations. L'enregistrement de cette convention a eu lieu le 27 septembre 1935.*

*French and Chinese official texts communicated by the Director of the Permanent Office of the Chinese Delegation to the League of Nations. The registration of this Convention took place September 27th, 1935.*

LE GOUVERNEMENT NATIONAL DE LA RÉPUBLIQUE CHINOISE et LE GOUVERNEMENT DE LA RÉPUBLIQUE FRANÇAISE, animés du désir de resserrer les liens d'amitié qui existent heureusement entre les deux pays et en vue de développer les relations commerciales entre la Chine et l'Indochine française, ont décidé de conclure une nouvelle convention et ont, à cet effet, nommé leurs plénipotentiaires respectifs, à savoir :

LE PRÉSIDENT DU GOUVERNEMENT NATIONAL DE LA RÉPUBLIQUE CHINOISE :

Son Excellence le D<sup>r</sup> Chengting T. WANG, ministre des Affaires étrangères du Gouvernement national de la République chinoise ;

LE PRÉSIDENT DE LA RÉPUBLIQUE FRANÇAISE :

Son Excellence le comte DE MARTEL, ambassadeur, ministre plénipotentiaire et envoyé extraordinaire de la République française en Chine, commandeur de la Légion d'honneur ;

Lesquels, après s'être communiqué leurs pleins pouvoirs, trouvés en bonne et due forme, sont convenus des articles suivants :

*Article premier.*

La Convention<sup>2</sup> de commerce sino-française de Tientsin du 25 avril 1886 (vingt-deuxième jour de la troisième lune de la douzième année de Kouang-Hsu), la Convention<sup>3</sup> commerciale additionnelle signée à Pékin le 26 juin 1887 (sixième jour de la cinquième lune de la treizième année de Kouang-Hsu), ainsi que les lettres officielles relatives à cette convention échangées à Pékin le

<sup>1</sup> Entrée en vigueur le 22 juillet 1935.

<sup>2</sup> DE MARTENS, *Nouveau Recueil général de Traités*, deuxième série, tome XXII, page 34.

<sup>3</sup> DE MARTENS, *Nouveau Recueil général de Traités*, deuxième série, tome XV, page 849.

<sup>1</sup> Came into force July 22nd, 1935.

<sup>2</sup> *British and Foreign State Papers*, Vol. 85, page 735.

<sup>3</sup> *British and Foreign State Papers*, Vol. 85, page 744.

23 juin 1887 (troisième jour de la cinquième lune de la treizième année de Kouang-Hsu) et la Convention<sup>1</sup> complémentaire signée à Pékin le 20 juin 1895 (vingt-huitième jour de la cinquième lune de la vingt et unième année de Kouang-Hsu) sont abrogées et cessent de produire leurs effets.

Les stipulations des articles 4, 5 et 6 du Traité<sup>2</sup> de Tientsin du 9 juin 1885 (vingt-septième jour de la quatrième lune de la onzième année de Kouang-Hsu) sont également abrogées.

#### Article II.

La ville de Long-tchéou au Kouangsi, celles de Sse-Mao, de Ho-K'éou et de Mong-Tseu au Yunnan demeurent ouvertes au commerce à travers la frontière terrestre de la Chine et de l'Indochine française.

#### Article III.

Le Gouvernement chinois pourra envoyer des consuls en Indochine française dans les villes de Hanoï ou de Haïphong et de Saïgon et le Gouvernement français pourra continuer d'envoyer des consuls dans les localités mentionnées à l'article précédent.

Les chefs et gérants des consulats et vice-consulats ainsi que les agents des services consulaires devront être nationaux du pays qui les nomme. Ils ne pourront exercer ni commerce ni industrie.

#### Article IV.

Les ressortissants chinois à leur entrée sur le territoire de l'Indochine française et les ressortissants français d'Indochine à leur entrée sur le territoire de la Chine, devront être munis de passeports délivrés par les autorités compétentes de leur pays d'origine. Ces passeports devront être visés par un consulat du pays de destination ou par les autorités dudit pays qualifiées à cet effet.

Les Hautes Parties contractantes s'engagent à s'accorder mutuellement, en se conformant à leurs lois et règlements respectifs, le traitement de la nation la plus favorisée pour ce qui concerne l'accomplissement des formalités y compris celles de l'identification relatives :

- 1<sup>o</sup> Aux passeports ;
- 2<sup>o</sup> Au régime des laissez-passer intérieurs et des visas de sortie ;
- 3<sup>o</sup> A l'entrée et à la sortie des ressortissants français d'Indochine et des ressortissants chinois se rendant en Indochine ou dans les trois provinces du Yunnan, du Kouangsi et du Kouangtong.

Il n'est rien modifié au régime des passes temporaires ou permanentes délivrées aux habitants des zones frontières qui seraient appelés par leurs travaux ou par leurs affaires à séjourner temporairement ou à se rendre fréquemment sur le territoire de l'autre pays au voisinage de la frontière.

#### Article V.

Les ressortissants chinois en Indochine française et les ressortissants français dans les localités chinoises susmentionnées, auront le droit de résider, de voyager, de se livrer au commerce ou à l'industrie. Le traitement qui leur sera accordé pour l'exercice de ces droits conformément aux règlements et lois en vigueur soit en Indochine française, soit en Chine, ne devra en aucun manière être moins favorable que celui des ressortissants de toute autre Puissance.

Les ressortissants chinois en Indochine française et les ressortissants français dans les localités chinoises déterminées ci-dessus ne pourront être assujettis à des impôts, taxes ou contributions autres ou plus élevés que ceux auxquels pourraient être soumis les ressortissants de la nation la plus favorisée.

<sup>1</sup> DE MARTENS, *Nouveau Recueil général de Traités*, deuxième série, tome XXIII, page 96.

<sup>2</sup> DE MARTENS, *Nouveau Recueil général de Traités*, deuxième série, tome XII, page 645.

<sup>1</sup> *British and Foreign State Papers*, Vol. 87, page 525.

<sup>2</sup> *British and Foreign State Papers*, Vol. 76, page 239.

de reviser ou de dénoncer la présente convention ; celle-ci continuera de s'appliquer si pareille notification n'est pas effectuée dans le délai prévu ci-dessus, étant bien entendu que chacune des Hautes Parties contractantes pourra à tout moment, après l'expiration de la période susmentionnée de cinq ans, notifier à l'autre son intention de reviser ou de dénoncer la présente convention qui deviendra nulle et inopérante un an après le jour de cette notification.

La présente convention avec ses annexes sera ratifiée aussitôt que possible et l'échange des ratifications aura lieu à Paris. Elle sera promulguée en Indochine et y entrera en vigueur en même temps que dans les trois provinces du Yunnan, du Kouangsi et du Kouangtong deux mois après l'échange des ratifications.

*Article XI.*

La présente convention a été rédigée en chinois et en français, les deux textes ayant été soigneusement comparés et vérifiés.

En foi de quoi les plénipotentiaires respectifs ont signé la présente convention en double exemplaire et y ont apposé leurs sceaux.

Fait à Nankin, le seizième jour du cinquième mois de la dix-neuvième année de la République chinoise correspondant au seize mai mil neuf cent trente.

(L. S.) (Signé) Chengting T. WANG.

(L. S.) (Signé) D. DE MARTEL.

ANNEXE I

NANKIN, le 16 mai 1930.

MONSIEUR LE MINISTRE,

Me référant à l'article VIII de la convention que nous avons signée à la date de ce jour, j'ai l'honneur de vous confirmer qu'en vue de développer le commerce entre la Chine et l'Indochine française, les marchandises chinoises en provenance du Yunnan, du Kouangsi et du Kouangtong, énumérées dans la liste A ci-jointe et les articles figurant sur la liste annexée au Traité<sup>1</sup> douanier sino-français du 22 décembre 1928, bénéficieront du tarif minimum à leur entrée en Indochine française lorsqu'elles seront transportées en droiture ou sous connaissement direct.

Elles jouiront de ce tarif aussi longtemps que les droits du tarif national chinois de 1929 ne seront pas majorés à l'égard des marchandises françaises et indochinoises exportées d'Indochine française en droiture ou sous connaissement direct au Yunnan, au Kouangsi et au Kouangtong et énumérées dans la liste B ci-jointe.

Veuillez agréer, Monsieur le Ministre, les assurances de ma haute considération.

(Signé) D. DE MARTEL.

Son Excellence le Dr Chengting T. Wang,  
Ministre des Affaires étrangères,  
Nankin.

NANKIN, le 16 mai 1930.

MONSIEUR LE MINISTRE,

J'ai l'honneur d'accuser réception de votre lettre de ce jour, ainsi conçue :

« Me référant à l'article VIII de la convention que nous avons signée à la date de ce jour, j'ai l'honneur de vous confirmer qu'en vue de développer le commerce entre la Chine

<sup>1</sup> Vol. XCII, page 267 ; et vol. C, page 258, de ce recueil.

<sup>1</sup> Vol. XCII, page 267 ; and Vol. C, page 258, of this Series.

N° 3738.

TEXTE CHINOIS. — CHINESE TEXT.

中法規定越南及中國邊省關係專約

附關於訂立甲乙兩種附表之議定書

<sup>1</sup> TRADUCTION. — TRANSLATION.

No. 3738. — CONVENTION CONCERNING THE RELATIONS BETWEEN CHINA AND FRANCE WITH REGARD TO FRENCH INDO-CHINA AND THE ADJACENT CHINESE PROVINCES. SIGNED AT NAN-KING, MAY 16TH, 1930.

THE NATIONAL GOVERNMENT OF THE REPUBLIC OF CHINA and THE GOVERNMENT OF THE FRENCH REPUBLIC, being desirous of strengthening the ties of friendship which happily exist between the two countries, and in order to develop commercial relations between China and French Indo-China, have decided to conclude a new Convention and have accordingly appointed as their respective Plenipotentiaries :

THE PRESIDENT OF THE NATIONAL GOVERNMENT OF THE REPUBLIC OF CHINA :

His Excellency Dr. Chengting T. WANG, Minister for Foreign Affairs of the National Government of the Republic of China ;

THE PRESIDENT OF THE FRENCH REPUBLIC :

His Excellency Count DE MARTEL, Ambassador, Minister Plenipotentiary and Envoy Extraordinary of the French Republic in China, Commander of the Legion of Honour ;

Who, having communicated their full powers, found in good and due form, have agreed on the following Articles :

*Article I.*

The Sino-French Commercial Convention of Tientsin, dated April 25th, 1886 (twenty-second day of the third moon of the twelfth year of Kwang-Hsu), the additional Commercial Convention signed at Peking on June 26th, 1887 (sixth day of the fifth moon of the thirteenth year of Kwang-Hsu), and the official letters regarding this Convention exchanged at Peking on June 23rd, 1887 (third day of the fifth moon of the thirteenth year of Kwang-Hsu), and the Supplementary Convention signed at Peking on June 20th, 1895 (twenty-eighth day of the fifth moon of the twenty-first year of Kwang-Hsu), are abrogated and shall cease to have effect.

The stipulations of Articles 4, 5 and 6 of the Treaty of Tientsin of June 9th, 1885 (twenty-seventh day of the fourth moon of the eleventh year of Kwang-Hsu), are also abrogated.

*Article II.*

The town of Lung-Chow in Kwangsi and those of Sze-Mao, Hokow and Mong-Chu in Yunnan shall remain open to commerce across the land frontier of China and French Indo-China.

*Article III.*

The Chinese Government may send consuls to French Indo-China in the towns of Hanoi, Haiphong and Saigon, and the French Government may continue to send consuls to the localities mentioned in the previous Article.

<sup>1</sup> Traduit par le Secrétariat de la Société des Nations, à titre d'information.

<sup>1</sup> Translated by the Secretariat of the League of Nations, for information.

The heads and administrators of consulates and vice-consulates and the agents of the consular services must be nationals of the country which appoints them. They may not engage in trade or industry.

*Article IV.*

Chinese nationals on entering the territory of French Indo-China, and French nationals of Indo-China on entering the territory of China, must be provided with passports issued by the competent authorities of their country of origin. These passports must be endorsed by a consul of the country of destination or by the authorities of the said country qualified for this purpose.

The High Contracting Parties undertake to grant each other, in conformity with their respective laws and regulations, most-favoured-nation treatment as regards the performance of formalities, including those of identification, concerning :

- (1) Passports ;
- (2) The regime of internal passes and exit visas ;
- (3) The entrance and exit of French nationals of Indo-China and Chinese nationals proceeding to Indo-China or to the three provinces of Yunnan, Kwangsi and Kwangtung.

No change shall be made in the regime of temporary or permanent passes issued to inhabitants of the frontier zones who may be obliged by their work or business to stay temporarily in or proceed frequently to the territory of the other country in the neighbourhood of the frontier.

*Article V.*

Chinese nationals in French Indo-China and French nationals in the Chinese localities mentioned above shall have the right to reside, travel and engage in trade or industry. The treatment granted them for the exercise of these rights in accordance with the regulations and laws in force both in French Indo-China and in China shall in no respect be less favourable than that of the nationals of any other Power.

Chinese nationals in French Indo-China and French nationals in the Chinese localities mentioned above may not be subjected to imposts, taxes or contributions other or higher than those levied on the nationals of the most-favoured nation.

*Article VI.*

Chinese goods coming from any Chinese port and conveyed direct or under a through way-bill to the provinces of Yunnan, Kwangsi and Kwangtung through the territory of Tongking shall enjoy preferential treatment and shall not be subject to the transit duty of the general tariff.

They shall only pay a duty of 1 % *ad valorem*.

Similarly, Chinese goods from the provinces of Yunnan, Kwangsi and Kwangtung passing through the territory of Tongking for any other authorised destination shall enjoy preferential treatment and shall not be subject to the transit duty of the general tariff.

Ores of all kinds, pig tin, raw hides and the goods already contained or inserted hereafter in List A annexed to the present Convention shall enjoy exemption from all duties. Other goods shall pay a duty of 1 % *ad valorem*.

War material, arms and ammunition which the National Government may desire to send in transit through the territory of Tongking shall be exempt from all duties.

Indo-Chinese vessels, with the exception of warships and vessels employed for the transport of troops, arms and munitions of war, may travel from Langson to Kaobang and *vice versa*, using the rivers Song-Ki-Kong and Song-Bang-Kiang which connect Langson with Lung-Chow and Kaobang.

These vessels and the goods which they carry in transit shall have no duty to pay on entering China.

*Article VII.*

The two Governments respectively undertake not to impose any prohibition or restriction on imports, exports or transit in Indo-China and in the three provinces of Yunnan, Kwangsi and Kwangtung which is not immediately applicable to other Powers.

The two Governments nevertheless reserve the right to enact in regard to all products coming from or consigned to either country such prohibitions or restrictions on importation, exportation or transit as may be necessitated by reasons of national defence, food supply, the protection of artistic and scientific wealth, the prevention of epidemics and epizootics, the protection of crops, State monopolies and public morality, on the understanding that these measures are justified by absolute necessity and shall apply to all countries in similar circumstances.

*Article VIII.*

The Chinese Government in the provinces of Yunnan, Kwangsi and Kwangtung, and the French Government in the territory of French Indo-China, shall not on any pretext levy on goods imported or exported by French or Chinese nationals, respectively, excise duties or internal taxes other or higher than those imposed on their own nationals or on nationals of any other Power.

*Article IX.*

Chinese nationals guilty or accused of crimes or offences committed in China who may seek refuge in the territory of French Indo-China, and French nationals guilty or accused of crimes or offences committed in Indo-China who may seek refuge in the territory of China, shall, at the request of the authorities concerned and on proof of their guilt, be sought out, arrested and extradited, it being understood that an exception shall be made in all cases which, in accordance with international usage, do not give rise to extradition.

*Article X.*

The present Convention is concluded for a period of five years. Six months before the expiration of the said period, each of the High Contracting Parties may notify the other of its intention to revise or denounce the present Convention; the latter shall continue to apply if such notification has not been made within the period stipulated above, it being understood that each of the High Contracting Parties may at any time after the expiration of the above-mentioned period of five years notify the other of its intention to revise or denounce the present Convention, which shall become null and void one year after the date of such notification.

The present Convention with its Annexes shall be ratified as soon as possible and the exchange of ratifications shall take place in Paris. It shall be promulgated in Indo-China and shall enter into force at the same time as in the three provinces of Yunnan, Kwangsi and Kwangtung, two months after the exchange of ratifications.

*Article XI.*

The present Convention has been drawn up in Chinese and French, the two texts having been carefully compared and verified.

In faith whereof the respective Plenipotentiaries have signed the present Convention in duplicate and have thereto affixed their seals.

Done at Nanking on the sixteenth day of the fifth month of the nineteenth year of the Republic of China, corresponding to May 16th, 1930.

(L. S.) (Signed) Chengting T. WANG.

(L. S.) (Signed) D. DE MARTEL.



## ANNEX I.

NANKING, *May 16th*, 1930.

YOUR EXCELLENCY,

With reference to Article VIII of the Convention which we have signed on to-day's date, I have the honour to confirm that, with a view to developing trade between China and French Indo-China, the Chinese goods coming from Yunnan, Kwangsi and Kwangtung enumerated in List A attached, and the articles appearing in the list attached to the Sino-French Customs Treaty of December 22nd, 1928, shall enjoy the minimum tariff on their entry into French Indo-China, when they are conveyed direct or with a through way-bill.

They shall enjoy this tariff as long as the duties of the Chinese national tariff of 1929 are not increased with regard to the French and Indo-Chinese goods exported from French Indo-China direct or with a through way-bill to Yunnan, Kwangsi and Kwangtung, enumerated in the attached List B.

I have the honour to be, etc.

(Signed) D. DE MARTEL.

His Excellency Dr. Chengting T. Wang,  
Minister for Foreign Affairs,  
Nanking.

NANKING, *May 16th*, 1930.

MONSIEUR LE MINISTRE,

I have the honour to acknowledge receipt of your letter of to-day's date which reads as follows :

“ With reference to Article VIII of the Convention which we have signed on to-day's date, I have the honour to confirm that, with a view to developing trade between China and French Indo-China, the Chinese goods coming from Yunnan, Kwangsi and Kwangtung enumerated in List A attached, and the articles appearing in the list attached to the Sino-French Customs Treaty of December 22nd, 1928, shall enjoy the minimum tariff on their entry into French Indo-China when they are conveyed direct or with a through way-bill.

“ They shall enjoy this tariff as long as the duties of the Chinese national tariff of 1929 are not increased with regard to the French and Indo-Chinese goods exported from French Indo-China direct or with a through way-bill to Yunnan, Kwangsi and Kwangtung, enumerated in the attached List B. ”

I hasten to inform you that I am in entire agreement with Your Excellency in this connection.

I have the honour to be, etc.

(Signed) Chengting T. WANG.

His Excellency Count de Martel,  
Ambassador, Minister Plenipotentiary  
and Envoy Extraordinary of the French Republic in China,  
Nanking.

## ANNEX II.

NANKING, *May 16th*, 1930.

YOUR EXCELLENCY,

With reference to Article V of the Convention which we have concluded on to-day's date, I have the honour to give you the assurance that Chinese nationals of French Indo-China shall enjoy

the same treatment as that granted to the nationals of any other country as regards legislation, jurisdiction and procedure in civil, criminal, fiscal and other matters.

I have the honour to be, etc.

(Signed) D. DE MARTEL.

His Excellency Dr. Chengting T. Wang,  
Minister for Foreign Affairs,  
Nanking.

NANKING, *May 16th*, 1930.

MONSIEUR LE MINISTRE,

I have the honour to acknowledge receipt and to take note of your letter of to-day's date which reads as follows :

“ With reference to Article V of the Convention which we have concluded on to-day's date, I have the honour to give you the assurance that Chinese nationals of French Indo-China shall enjoy the same treatment as that granted to the nationals of any other country as regards legislation, jurisdiction and procedure in civil, criminal, fiscal and other matters. ”

I have the honour to be, etc.

(Signed) Chengting T. WANG.

His Excellency Count de Martel,  
Ambassador, Minister Plenipotentiary  
and Envoy Extraordinary of the French Republic in China,  
Nanking.

### ANNEX III.

NANKING, *May 16th*, 1930.

YOUR EXCELLENCY,

With reference to Article V of the Convention signed on to-day's date, I have the honour to inform you that the French Government does not consider that the stipulations of the above-mentioned Article preclude it from levying the taxes which are applied to Chinese nationals and which relate to the exercise of the special rights and privileges traditionally enjoyed by the latter in Indo-China.

I have the honour to be, etc.

(Signed) D. DE MARTEL.

His Excellency Dr. Chengting T. Wang,  
Minister for Foreign Affairs,  
Nanking.

NANKING, *May 16th*, 1930.

MONSIEUR LE MINISTRE,

I have the honour to acknowledge receipt of your letter of to-day's date concerning the levying of taxes in connection with the exercise of the special rights and privileges traditionally enjoyed by Chinese nationals in Indo-China.

I hasten to inform you of my concurrence on this point, it being understood that the taxes mentioned shall also be applicable to the nationals of any other Power enjoying the same privileges as the Chinese in Indo-China.

I have the honour to be, etc.

(Signed) Chengting T. WANG.

His Excellency Count de Martel,  
Ambassador, Minister Plenipotentiary  
and Envoy Extraordinary of the French Republic in China,  
Nanking.

ANNEX IV.

NANKING, *May 16th*, 1930.

MONSIEUR LE MINISTRE,

With reference to Articles II and III of the Convention which we have concluded on to-day's date, I have the honour to confirm that it is understood that the present statute shall continue in force as regards French nationals in the towns of Koen-Ming (Yunnanfu), Nanning and Tong-Hing, and that the French Government may continue to send consuls to the above-mentioned towns.

As regards the hiring by French nationals in these localities of immovable property in conformity with the laws and provisions in force, I undertake to arrange for the promulgation of regulations permitting the conclusion of leases of the same duration as those provided for in the stipulations at present applied by the Chinese Government in the open ports where the regime is most favourable.

It is understood that these regulations will be promulgated and put into force on the same date as the present Convention.

I have the honour to be, etc.

(Signed) Chengting T. WANG.

His Excellency Count de Martel,  
Ambassador, Minister Plenipotentiary  
and Envoy Extraordinary of the French Republic in China,  
Nanking.

NANKING, *May 16th*, 1930.

YOUR EXCELLENCY,

I have the honour to acknowledge receipt and to take note of your letter of to-day's date which reads as follows :

" With reference to Articles II and III of the Convention which we have concluded on to-day's date, I have the honour to confirm that it is understood that the present statute shall continue in force as regards French nationals in the towns of Koen-Ming (Yunnanfu), Nanning and Tong-Hing, and that the French Government may continue to send consuls to the above-mentioned towns.

" As regards the hiring by French nationals in these localities of immovable property in conformity with the laws and provisions in force, I undertake to arrange for the promulgation of regulations permitting the conclusion of leases of the same duration as those provided for in the stipulations at present applied by the Chinese Government in the open ports where the regime is most favourable.

" It is understood that these regulations will be promulgated and put into force on the same date as the present Convention. "

I have the honour to be, etc.

(Signed) D. DE MARTEL.

His Excellency Dr. Chengting T. Wang,  
Minister for Foreign Affairs,  
Nanking.

## EXCHANGES OF NOTES.

NANKING, *September 2nd, 1933.*

YOUR EXCELLENCY,

The Chinese Government has recently increased the import duties of the Customs tariff on coal, including Indo-Chinese anthracite.

I venture to remind you that in the course of our recent conversations it was understood that anthracite coal coming from Indo-China — on the definition of which we agreed — would be entered in List B provided for in the Convention of May 16th, 1930, and that the duty to be levied on the importation of this article would not be greater than that of the tariff in force in 1932, namely C. G. U. 0.89 per ton.

You will realise that an increase in the said tariff would be likely to hamper most seriously the progress of the present negotiations, and that it would be difficult for us to reach the agreement desired by our two Governments on Lists A and B.

In these circumstances, I have the honour to request you to confirm that when the agreement on the two lists has been signed, and on the date of the putting into force of the Convention, the import duty on anthracite coal, *i. e.* on coal with a fuel ratio of 5 or over, will not exceed C. G. U. 0.89 per ton.

I have the honour to be, etc.

*(Signed)* WILDEN.

His Excellency Monsieur Wang Ching-wei,  
Minister for Foreign Affairs,  
Nanking.

NANKING, *September 5th, 1933.*

MONSIEUR LE MINISTRE,

I have the honour to acknowledge receipt of your letter dated September 2nd, 1933, concerning the import duties on anthracite coal.

In reply, I have the honour to inform you that when the agreement on the two lists at present under negotiation has been signed, and on the date of the putting into force of the Convention, the duty on the importation of anthracite coal, *i. e.* of coal with a fuel ratio of 5 or over, will not exceed C. G. U. 0.89 per ton.

I have the honour to be, etc.

*(Signed)* Wang CHING-WEI.

His Excellency Monsieur A. Wilden,  
Minister Plenipotentiary and Envoy Extraordinary  
of the French Republic in China,  
Nanking.

NANKING, *May 4th, 1935.*

MONSIEUR LE MINISTRE,

In the course of the conversations which led to the drawing up of Lists A and B provided for in Annex I of the Convention of May 16th, 1930, it was understood that the tariff applicable to the first five articles of List B would not be that of 1929 but would be the Chinese National Tariff at present in force.

I should be grateful if you would confirm your agreement on this point.

I have the honour to be, etc.

*(Signed)* Wang CHING-WEI.

His Excellency Monsieur A. Wilden,  
Minister Plenipotentiary and Envoy Extraordinary  
of the French Republic in China,  
Nanking.

NANKING, *May 4th*, 1935.

YOUR EXCELLENCY,

I have the honour to acknowledge receipt of your letter of to-day's date which reads as follows :

“ In the course of the conversations which led to the drawing up of Lists A and B provided for in Annex I of the Convention of May 16th, 1930, it was understood that the tariff applicable to the first five articles of List B would not be that of 1929 but would be the Chinese National Tariff at present in force. ”

I have the honour to inform you that I am in agreement on this point, and to be, etc.

*(Signed)* WILDEN.

His Excellency Monsieur Wang Ching-wei,  
Minister for Foreign Affairs,  
Nanking.

NANKING, *May 4th*, 1935.

MONSIEUR LE MINISTRE,

In the course of the conversations which led to the drawing up of Lists A and B provided for in Annex I of the Convention of May 16th, 1930, it was understood that this Convention with all its Annexes would be put into force immediately after the exchange of ratifications.

I should be glad if you would confirm your agreement on this point.

I have the honour to be, etc.

*(Signed)* Wang CHING-WEI.

His Excellency Monsieur A. Wilden,  
Minister Plenipotentiary and Envoy Extraordinary  
of the French Republic in China,  
Nanking.

NANKING, *May 4th*, 1935.

YOUR EXCELLENCY,

I have the honour to acknowledge receipt of your letter of to-day's date which reads as follows :

“ In the course of the conversations which led to the drawing up of Lists A and B provided for in Annex I of the Convention of May 16th, 1930, it was understood that this Convention with all its Annexes would be put into force immediately after the exchange of ratifications. ”

I have the honour to inform you that I am in agreement on this point, and to be, etc.

*(Signed)* WILDEN.

His Excellency Monsieur Wang Ching-wei,  
Minister for Foreign Affairs,  
Nanking.

PROTOCOL ESTABLISHING LISTS A AND B.

PROTOCOL.

In accordance with the provisions laid down in the letters exchanged :

(1) On May 16th, 1930, between the Minister for Foreign Affairs of the Chinese Republic and the Minister Plenipotentiary and Envoy Extraordinary of the French Republic in China, and attached to the Convention of the same date, regulating the relations between France and China in connection with French Indo-China and the adjacent Chinese provinces ;

(2) On September 2nd and 5th, 1933, between the Minister for Foreign Affairs of the Chinese Republic and the Minister Plenipotentiary and Envoy Extraordinary of the French Republic in China, concerning the duty to be levied on the importation of anthracite coal from Indo-China ;

(3) On May 4th, 1935, between the Minister for Foreign Affairs of the Chinese Republic and the Minister Plenipotentiary and Envoy Extraordinary of the French Republic in China, substituting, as regards the first five items of List B, the Chinese national tariff at present in force for that of the year 1929.

Lists A and B have been fixed as follows :

List A.

(First Part.)

The Chinese goods enumerated below coming from Yunnan, Kwangsi and Kwangtung shall enjoy the minimum tariff on entry into French Indo-China when conveyed direct or with a through way-bill :

Ex. 9.	Sheep.
Ex. 17.	Hams.
21 and 22.	Hides and peltries, raw.
Ex. 25.	Pig's bristles.
33.	Wax.
Ex. 61.	Musk.
67.	Horns of cattle.
Ex 77.	So-called Chinese vermicelli.
83.	Potatoes.
84 A and B.	Table fruits, fresh.
85.	Table fruits, dried or drained.
142 (a)	Hemp in the stem, dressed, hackled or as tow ; combed hemp.
143.	Jute.
175 and 175 (a)	Marble and alabaster.
Ex 222.	Lead ores, lead in crude lumps, pigs, bars or slabs, alloyed with antimony or not.
Ex 223.	Tin pure or alloyed, in crude lumps, pigs or slabs.
Ex 0381 (d)	Insecticides with a pyrethrum base.
Ex 299.	Indian ink.
Ex 316.	Compound medicines appearing in the traditional Sino-Annamite Pharmacopœia.
Ex 330.	Joss-sticks and joss-stick powder.
347 A and B.	Porcelain.
Ex 379 and 380.	Raw silk.
Ex 461.	Paper or card other than fancy, machine or hand made, with the exception of cigarette paper, ruled paper, paper or card articles, paper for printing or publishing. So-called fancy paper or card, with the exception of paper for printing or publishing.
476 A and B.	Skins and hides merely tanned.
643.	Fans.
Ex 644 (a).	Writing brushes.

*(Second Part.)*

The Chinese goods enumerated below shall enjoy the minimum tariff on entry into French Indo-China when conveyed direct or with a through way-bill :

99.	Pepper.
100.	Pimento.
102.	Cinnamon.
104.	Nutmegs in the shell or not.
106.	Cloves.
108.	Tea.
Ex 459.	Fabrics of pure silk. Foulards of pure silk. Crepes of pure silk. Tulle of pure silk. Trimmings of pure silk.

## LIST B.

The Chinese goods enumerated in List A shall enjoy the minimum tariff on entry into French Indo-China as long as the duties in the Chinese national tariff at present in force are not increased as regards the first five articles mentioned below, and as long as the duty applied to the last article as fixed in the letter of September 5th, 1933, from the Minister for Foreign Affairs to the French Minister has not been modified, it being understood that these articles originating either in France or French Indo-China shall be exported from Indo-China to Yunnan, Kwangsi and Kwangtung direct or with a through way-bill :

346 to 348.	Amomums and cardamons.
353.	Cinnamon.
Ex 567.	Skins, undressed, other than those of goats, sheep and wolves.
601 (c).	Furniture of wood.
Ex 615.	Empty bottles of glass.
603 (a)	Anthracite coal with a fuel ratio of 5 or over.

The present Protocol has been drafted in Chinese and French, the two texts having been carefully compared and verified.

Done at Nanking on the fourth day of the fifth month of the Year XXIV of the Republic of China, corresponding to May 4th, one thousand nine hundred and thirty-five.

(L. S.) (Signed) Wang CHING-WEI.

(L. S.) (Signed) WILDEN.

## DECLARATION.

The Chinese Government declares that it will take no measures aimed at prohibiting the importation of rice from French Indo-China to the provinces of Yunnan, Kwangsi and Kwangtung, or to restrict the quantities thereof to be imported. This Declaration is valid for a duration of two years as from the putting into force of the Convention of May 16th, 1930. After this period it may only be denounced at three months' notice.

The import duty on Indo-Chinese rice exported from French Indo-China to the three provinces mentioned above shall be C. G. U. 1.50 per 100 kg. and for a period of two years only as from the date of the putting into force of the Convention of May 16th, 1930.

The Chinese Government also declares that it will not apply to rice, cement and dried and salted fish from French Indo-China import duties higher than those levied on similar products originating in any other country.

NANKING, May 4th, 1935.

(Signed) Wang CHING-WEI.