中

丹

白皮書第九十號(三十七年一月)

關 於 取 消 丹 麥 在 中中中 華 華華華 治 民民民 國國國 外 三三三 法 +++ 六五五 權 年年年 及 四五五 處 月月月 +== 理 四十十 有 日日日 互起簽 關 换暫字 問 批行 准生 題 書效 條 約

中華民國國民政府外交部編印

上海图书馆藏书



A541 212 0012 8078B

### 中華民國與丹麥王 國關於取消丹麥在華治外法 權 及 處 理 一有關 問 題條 约

丹麥王國為補充一中華民國為補充一 九二八年十二月十二日所締結之友好通商條約並加強兩國間素來之友好關係起見发决定根據平等互惠原

則締結本約 爲此各派全權代表 如 左

中華民國國民政府主席閣下 特 派

中華民國國民政府外交部部 長王世杰

丹麥王國國王陛下特派 `麥王國特命全權專使高福曼

丹

兩 全權代表各將 第 所奉全權證書互相校閱均屬妥善議訂條款如左 條

中華民國與丹麥王國間之條約或協定凡授權丹麥王 站作廢丹 麥 人民在 中華民國 領 一土內應依照國際公法之原則及國際慣例受中華民國政府 國政府或其代表實行管轄在中華民國領土內丹 之管轄 Z 切候

款茲特撤銷

第

條

現

行



264514

丹 一麥王 一國政府 在北平便館界及在上海與廈門公共租界如有任何特權 槪 放 棄

### 第 三 條

用土 所根 法律 款因 地及有明 人據之原 手 本 約第 續 雙方並 提 為免除丹麥人民公司或 關 出 來 手 條 國 靗 成規定廢 防 同 續 據 意中華民國政 一各項法令之約束非經中華民國 如 祄 日 眀 1後有任 此 止而 項 權 可 何變 利 能 府 係以 社團 發生之問題 對於丹 更之處 詐 在 欺或類 中華民國 該項 麥人民公司 起 權 似詐欺或其他不正當之手段所 見雙 和不得 政府之明 領 方同 土内現有關於不動 或社 因此作廢雙方並同 意上述現有之權 白許可 團持有 之不動産永 並 不得移 產之權利發生任何問題 利不得取消作廢 意此 轉於任何第三 租契或其 取得者不 項權利之行使 他 在 國 證 此 并不得以 政府或 據 限问 |應受中 如欲另行 尤為免除各條約或協定之各條 時 八尺( 相 任 華民國 ħ 何 換 諒解 理 ) 發新 包 出 括 關於 此 加 公司 項 所 以 有 追 徵 權 及社 權 收 究 利 捐 沢 取 但 時 税徴 依照 [事] 得 中 胩

國官 其 廳當不徵 收任 何費 用 此項 新所 有權 狀應 尤 分保障上述租契或其他證據之持有人與其合法之繼承人及 受讓 人並不得 减 損

### 原 來 權 益 包 括 轉 讓 權 在 茵

Щ 雙方並 本條第 后意中 於所指現有不動產權利之轉讓權所受之限制中國官廳當秉公辦理 國官廳不得 向丹麥人民 公司 或 社 團 要求繳 **「納涉及本約發生效力以前** 如中國政府對於所提出之轉讓 有 關 十地 移 轉之任 何費用 拒 絕同 意

方利益關係人希望中 購之 國 政 府 ) 收購 該 項權 利 時中國政府秉公平之精神及爲避免該利 益關係之人民公司或 社團之損 失起 見

當以適當之代價收

加力

第 29

條

| 領土內予以相 丹麥王國政府對於中華民國 同之權 利 【人民在丹麥領土內早巳予以旅行居住及經商之權利中華民國政府同意對於丹麥人民在中華

反國

第

五

條

此國人民在彼國領土內 關於法院及其他官廳保護其身體與財產之一 條 切事項應享受與彼國人民同樣之待遇

第

人民公司及社團之待遇 但 兩國均不得要 求對方國 興 第 國 間 依據避免複稅之協定而 互 相 適 用 關於徵 成稅之優 東

國

第

條

兩

國政府在各該

國管轄所及之領土內給予對

方國人民公司及社團

一關於租稅之徵收或其有關事項不

低於所給予任

何

第

中華民國政府與丹麥王國政府飼意彼此領事官經對方給予執行職務證書後得在對方國領土內雙方同意之口岸地

方

拘 興 留 城 逮 市 捕 馬士 紮 或 監 网 禁 國之領 時 應立 事 卽 官 通 在其 |知該領事官該領事官於通知主管官廳後得 領 事 眉 内 應右 與 其 (本國 人民公司 及 社 專 探視此等人民總之兩國之領事官應享有 會晤 通訊以 及指 示之權 倘 其 本 國 民 在其 現代國 領 事 際 區 慣 内 例 秛

所 給予之權 杊 特權 與 豁 缩

禁者其 雙方並 、與領事官之通訊主管官廳應予 同意對方人民公司及社團 轉遞 在 此 國 餌 七內者有隨時與其領事官 通訊之權對 方人民在此國之領土內 被拘 留 逮

捕

上内 凡平 丹麥王國政府放棄關於在 時對外 國海 1.外商運巳開放之沿海口岸對於丹 中國通 商口岸制度之一 麥海外商 切 ·現行條約權利鑒於此項通商口岸制· 運仍繼續開放 **時度之廢** .IŁ 彼此了解中 華

民

國

船

此 國之商 船 許 其自由駛至彼國對於海外商運業已或 將來開放之口岸地方及領水在該口岸地

之待遇不得低於所給予各該本國船舶之待遇且應與所給予任 何第 國船舶 之待遇同樣優厚締約一方之「船舶」字樣指依 方及領水内給予 此等

== 彼 此 **几**了解締 約雙 **一方爲國防計有權封閉任何口岸禁止其一切** 海 外商連 照

該

方之法律登記者

舶

領

丹麥王國 **|政府放棄給予丹麥船舶** 在中華民 一國領水內關於沿海貿易 及內河航 行之特權任何用以經營此項事業之升麥

產 業如業上 願意出賣時中華民國政府準備以公平價格收購之

如 任 何 方於日後簽訂之協定中以 任 何關於沿海貿易或內河航行之優惠給予任何第

方有關 法律之規定辦 埋不得要求彼方之本國待 遇

給予

彼

方之船

舶

但中華民國不得要求

丹麥給予斯

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的那

維

亞國家中任

何

國或數國之特殊優惠沿海貿易與

《內河航

行依照

彼

國之船舶則此

項優惠應同

樣

第 條

並置有不動產之權 通商 口岸制度之廢止不得影響現有之財產權締約一 利 方之人民在縮約彼方得依照締約彼方之法令所規定之條件享受取得

丹麥王國政府放棄關於在中華 第 + 條 ·民國領土内各口岸雇用外籍引水人之一

切現行

權

利

第 ·十二條

依照本約第一條之規定丹麥在中國之法院既經停閉該項法院之命令宣告判决及其他處分應認為確定案件於必要時中國  $\mathcal{F}_{\mathbf{L}}$ 

六

時應即交由該法院從速進行處理並於可 官廳應予以執行又當本約發生效力時凡在中國之丹麥法院任何未結案件如原告或告訴人希望移交中華民國政府之主管法院 能範圍 一內適用丹麥法院所適用之法律

## 第 十三條

來與他國 締約雙方同意從速進行談判簽訂 政府所締結之近代條約中所表現之國際公法原則與國際慣例 現代廣泛之友好通商航海設領條約 爲根 據 此項條約將以 近代國際程序與締約 雙方近年

而不 內者應由 在本約範圍內或不在中華民國政府與丹麥王國政府間現行而 ğij 項廣泛條約未經訂立以前倘日後遇有涉及中華民國領 未經 上內 本約廢 丹麥王國政府或人民公司或 止 或與 本約不相抵觸之條約專約及協定之範圍

**弘川唐權** 

利之任何

問題發生

「兩國政府代表會商依照通常承認之國際公法原則及近代國際慣例解决之

第 + 四 條

本約未涉及之問題如有影響中華民國主權時應由兩國政府代表會商依照通常承認之國際公法之原則及近代國際慣例

解决之

凡

第 五 條

# 本約用中文丹麥文及英文各繕兩份解釋遇有歧異時應以英文本為準

## 第十六條

本約應從速批准自兩國政府彼此通知業已批准之口起發生效力批准書應隨後於南京互換

兩全權代表爱於本約簽字蓋印以昭信守

中華民國三十五年五月二十日即公曆一九四六年五月二十日訂於商京 Æ

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## 换 文(甲)

按本日丹麥王國與中華民國所簽訂關於取消丹麥在華治外法權及處理有關問題之條約第十六條規定本約應自兩國政府 (一)丹麥專便高福曼致中國外交部部長王世杰照會

彼此通知業已批准之日起發生效力

但

|兩國政府均願本約條款立即生效同意在本約未批准前自本日起暫行生效

閣下以中華民國之名義證實此項諒解至深威幸 本專便茲特代表丹麥政府證實此項諒解 如荷

本專使順向

中華民國外交部部長王閣下

貴部長重表敬意

此致

公曆一 九四六年五月二十日於南京

福 曼 へ簽 字)

高

八

# (二)中國 **一列交部部長王世杰覆丹麥專使**

頃 淮

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專 使 本日照會內開

按本日丹麥王

國

更

一華民國所簽訂關於取消

丹麥在華治外法權

反處理有關問題之條約第十六條

府

彼 此通

知業已批准之日

旭

一後生

效

兩 國 政 府均 願

本約

條款立 此 項

效

在 32

本約

未 批准

前门 本 自

起

)暫行生 混定·

效 本 應 Ĥ 專

佊 啉

好 國

特

本約

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部長兹特代表中華民國 政府 代表丹麥政府證實此項

京解如

荷閣

下以 Ħ 但

中華民國乙名義證實

公部解至 即生

深威 同意

本 證實

貴專使

重表敬意

H

起暫行生效

本部

長順向

丹麥特命全權專使

高 開曼

閣

九四六年五月二十

日於南京

此致

貴我雙方成立之諒解即本 日中華民國與丹麥王國所簽訂關於取消

丹麥在華治外法權及處理有關問題 心之條約 在未批准

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杰 簽

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儿

# 文 (乙)

换

(一)中國外交部部長王世杰致丹麥專使高編曼照會 關於中華民國政府與丹麥王國政府本日所簽訂

丹麥政府放棄其在華治外法權及其有關特權之條約本部長茲特聲明雙方對於下列一

雙方了解本約第五條關於在丹麥訴訟費用之擔保及訴訟救助問題

應由兩國政府以

特殊協定解决之在此

項特殊協定未訂

點業已成立協議

立時所有在丹麥對一 般他國人民所適用屬於訴訟費用之擔保及訴訟救助之規則與慣例對中華民國人民應亦適用

貴專使證實上述之了解為荷

本部長應請

本部長順向

貴專: 使重表敬意

此 致

公曆 丹麥王國特命全權專使高 九四六年五月二十日於南京 福曼閣

冊 杰 へ簽 学

 $\pm$ 

# (二)丹麥專使高福曼覆中國外交部部長王世杰照 會

貴部

明

雙方對於下列一點業已成立協議

關於丹麥王國政府與中華民國政府本日所簽訂丹麥政府放棄其在華治外法權 長本日照會內開 關 一於中華民國政府與丹麥王國政府本日所簽訂丹麥政府放棄其在華治外法權及其有關特權之條約本部長茲特聲 及其有關特權之條約 本專使頃准

未訂立時所有 雙方了解本約第五條關於在丹麥訴訟費用之擔保及訴訟救助問題應由兩國政府以特殊協定解决之在此項特殊 在丹麥對 般他國人民所適用關於訴訟費用之擔保及訴訟救助 之規則與慣例對中華民國人民應亦適用本 協定

1長應請貴專使證實上述之了解為荷

本専 部 ;使茲特證實關於丹麥王國政府與中華民國政府本日所簽訂之條約業已成立之協議正

如

貴 部 長上述來照所稱者

本 車 使 順 向

部 長 重 表敬意

此致

貴

公曆一九四六年五月二十日於南京中華民國外交部部長王閣下

高 福 曼

(簽字)

## TREATY BETWEEN THE REPUBLIC OF CHINA AND THE KINGDOM OF DENMARK FOR THE RELINQUISHMENT OF EXTRATERRITORIAL RIGHTS IN CHINA AND THE REGULATION OF RELATED MATTERS

The Republic of China and the Kingdom of Denmark being desirous of completing the Preliminary Treaty for Amity and Commerce of December 12th, 1928, and of strengthening the ties of friendship which happily subsist between the two countries have resolved to conclude a Treaty, based on the principles of equality and reciprocity, and have for this purpose named as their Plenipotentiaries:

His Excellency the President of the National Government of the Republic of China:

Docteur Wang Shih-chieh, Minister for Foreign Affairs of the National Government of the Republic of China;

His Majesty the King of Denmark:

Monsieur, Henrik de Kauffmann, Envoy Extraordinary and Plenipotentiary of the Kingdom of Denmark:

Who, having communicated to each other their respective full powers found in good and due form. have agreed upon the following articles:

### ARTICLE I

All those provisions of treaties or agreements in force between the Republic of China and the Kingdom of Denmark which authorize the Government of the Kingdom of Denmark or its representatives to exercise jurisdiction over nationals of Denmark in the territory of the Republic of China are hereby abrogated. Nationals of Denmark in such territory shall be subject to the jurisdiction of the Government of the Republic of China in accordance with the principles of international law and practice.

### ARTICLE II

The Government of the Kingdom of Denmark

relinquish their special rights if any in the diplomatic quarter in Peiping and the International Settlements at Shanghai and Amoy.

### ARTICLE III

- In order to obviate any questions as to existing rights in respect of real property in the territory of the Republic of China possessed by Danish nationals, companies or associations. particularly questions which might arise from the abrogation of the provisions of treaties or agreements as stipulated in Article I of the present Treaty, it is agreed that such existing rights shall be indefeasible and shall not be questioned upon any ground except upon proof, established through due process of law, of fraud or of fraudulent or other dishonest practices in the acquisition of such rights, it being understood that no right shall be rendered invalid by virtue of any subsequent change in the original procedure through which it was acquired. It is also agreed that the exercise of these rights shall be subject to the laws and regulations of the Republic of China concerning taxation, national defense and the right of eminent domain, and that no such rights may be alienated to the Government or nationals (including companies and associations) of any third country without the express consent of the Government of the Republic of China.
- 2. It is also agreed that if it should be the desire of the Government of the Republic of China to replace, by new deeds of ownership, existing leases in perpetuity or other documentary evidence relating to real property held by Danish nationals, companies or associations, the replacement shall be made by the Chinese authorities without charges of any sort and the new deeds of ownership shall fully protect the holders of such leases or other documentary evidence and their legal heirs and assigns without diminution of their prior rights and interests, including the right of alienation.
  - 3. It is further agreed that Danish nationals,

companies or associations shall not be required or asked by the Chinese authorities to make any payments of fees in connection with land transfers for or with relation to any period prior to the effective date of this Treaty.

4. The restriction on the right of alienation of existing rights to real property referred to in paragraph 1 of this article will be applied by the Chinese authorities in an equitable manner, and if and when the Chinese Government declines to give assent to a proposed transfer, the Chinese Government will in a spirit of justice and with a view to precluding loss on the part of Danish nationals, companies or associations whose interests are affected, undertake, if the Danish party in interest so desires, to take over the right in question and to pay adequate compensation therefor.

### ARTICLE IV

The Government of the Kingdom of Denmark having long accorded rights to nationals of the Republic of China within the territory of Denmark to travel, reside and carry on trade throughout that territory, the Government of the Republic of China agree to accord similar rights to nationals of Denmark within the territory of the Republic of China.

### ARTICLE V

The nationals of each country shall within the territory of the other country, in all questions regarding protection by the courts of justice and other authorities for their persons and property, enjoy the same treatment as the nationals of that country.

### ARTICLE VI

E two Governments will accord in territory under its jurisdiction to nationals, companies and associations of the other country in regard to the levying of taxes or requirements in connection therewith treatment not less favorable than that accorded to the nationals, companies and associations of any

third country. Neither country shall however be entitled to claim such favors in regard to taxation as are mutually applied between the other country and a third country by virtue of an agreement for the avoidance of double taxation.

### ARTICLE VII

- 1. The Government of the Republic of China and the Government of the Kingdom of Denmark agree that the consular officers of each country, duly provided with exequaturs, shall be permitted to reside in such ports, places and cities of the territory of the other country as may be agreed upon. The consular officers of each country shall have the right to interview, to communicate with, and to advise nationals, companies and associations of their country within their consular districts; they shall be informed immediately whenever nationals of their country are under detention or arrest or in prison in their consular districts and they shall, upon notification to the appropriate authorities, be permitted to visit any such nationals, and, in general, the consular officers of each country shall be accorded the rights, privileges, and immunities enjoyed by consular officers under modern international usage.
- 2. It is likewise agreed that the nationals, companies and associations of each country, in the territory of the other country, shall have the right at all times to communicate with the consular officers of their country. Communications to their consular officers from nationals of each country who are under detention or arrest or in prison in the territory of the other country shall be forwarded to such consular officers by the competent authorities.

### ARTICLE VIII

1. The Government of the Kingdom of Denmark relinquish all existing treaty rights relating to the system of treaty ports in China. In the light of the abolition of treaty ports as such, it is understood that all coastal ports in the territory of the Republic of China which are normally open to foreign overseas merchant shipping will remain open to Danish overseas merchant shipping.

- 2. The merchant vessels of each country shall be permitted freely to come to the ports, places and waters of the other country which are or may be open to overseas merchant shipping. The treatment accorded to such vessels in such ports, places and waters shall be no less favorable than that accorded to national vessels and shall be as favorable as that accorded to vessels of any third country. The term "vessels" of a High Contracting Party means all vessels registered under the law of that High Contracting Party.
- 3. It is understood that each of the High Contracting Parties reserve the right to close any port to all overseas merchant shipping for reasons of national security.

### ARTICLE IX

- 1. The Government of the Kingdom of Denmark relinquish the special rights which have been accorded to Danish vessels with regard to the coasting trade and inland navigation in the waters of the Republic of China. The Government of the Republic of China are prepared to take over any Danish properties which have been used for the purposes of these trades, and which the owners may wish to dispose of, and to pay adequate compensation therefor.
- 2. Should either country, in an agreement hereafter concluded, accord to vessels of any third country any favor with regard to coasting trade or inland navigation, such favor should similarly be accorded to the vessels of the other country. The Republic of China shall, however, not be entitled to claim such special favors as Denmark may accord to any or several of the Scandinavian countries. Coasting trade and inland navigation are excepted from the requirements of national treatment and are to be regulated according to the laws of each High Contracting Party in relation thereto.

### ARTICLE X

The abolition of the system of treaty ports will not affect existing property rights and nationals of each country will enjoy the right to acquire and hold real property in the other country in accordance with the conditions and requirements prescribed in the laws and regulations of that country.

### ARTICLE XI

The Government of the Kingdom of Denmark relinquish all existing rights with regard to the employment of foreign pilots in the ports of the territory of the Republic of China.

### ARTICLE XII

When the courts of Denmark in China have been closed down in accordance with Article I of this Treaty, the orders, decrees, judgments, decisions and other acts of these courts shall be considered as res judicata and shall, when necessary, be enforced by the Chinese authorities. Any cases pending before a court of Denmark in China at the time of the coming into effect of this Treaty shall, if the plaintiff or petitioner so desires, be remitted to the appropriate courts of the Government of the Republic of China, which shall proceed to dispose of them as expeditiously as possible and in so doing shall, so far as practicable, apply the law which the Danish court would have applied.

### ARTICLE XIII

1. The High Contracting Parties agree that they will enter as soon as possible into negotiations for the conclusion of a comprehensive, modern treaty of Friendship, Commerce, Navigation and Consular Rights. The treaty to be thus negotiated will be based upon the principles of international law and practice as reflected in modern international procedures and in the modern treaties which each of the parties has in recent years concluded with other Governments.

2. Pending the conclusion of a comprehensive treaty of the character referred to in the preceding paragraph, if any questions affecting the rights in the territory of the Republic of China of the Government of the Kingdom of Denmark or of Danish nationals, companies or associations, should arise in future, and if these questions are not covered by the present Treaty, or by the provisions of existing treaties, conventions, or agreements between the Government of the Republic of China and the Government of the Kingdom of Denmark not abrogated by or inconsistent with this Treaty, such questions shall be discussed by representatives of the two Governments and shall be decided in accordance with the generally accepted principles of international law and modern international practice.

### ARTICLE XIV

Questions, which are not covered by the present Treaty and which may affect the sovereignty of the Republic of China, shall be discussed by representatives of the two Governments and shall be decided in accordance with the generally accepted principles of international law and modern international practice.

### ARTICLE XV

The present Treaty has been drawn up in two copies in the Chinese, Danish and English languages. In case of any difference of interpretation, the English text shall prevail.

### ARTICLE XVI

The present Treaty shall be ratified as soon as possible and shall come into force on the day on which the two Governments shall have notified each other that the ratification has been effected. The instruments of ratification shall there after be exchanged at Nanking.

In faith whereof, the respective Plenipotentiaries have signed the present Treaty and have affixed thereto their seals.

DONE at Nanking this Twentieth day of the Fifth Month of the Thirty-fifth Year of the Republic of China, corresponding to the Twentieth day of May Nineteen Hundred and Forty-six.

(L.S.) WANG Shih-chieh

(L.S.) Henrik de KAUFFMANN

### EXCHANGE OF NOTES

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1. NOTE FROM H. E. THE ENVOY EXTRAOR-DINARY. AND PLENIPOTENTIARY OF THE KINGDOM OF DENMARK TO THE MINISTER FOR FOREIGN AFFAIRS OF THE REPUBLIC OF CHINA

Nanking, May 20, 1946.

Sir.

In Article XVI of the Treaty signed to-day between the Kingdom of Denmark and the Republic of China for the Relinquishment of Extraterritorial Rights in China and the Regulation of Related Matters it has been stated that the Treaty shall come into force on the day on which our respective Governments have notified each other that the ratification has been effected.

It being the desire of our Governments that the provisions of the Treaty should come into force immediately, it has been agreed however that in expectation of ratification the Treaty should come into force provisionally from to-day.

I have the honor to confirm this understanding on behalf of the Government of Denmark and should be glad if Your Excellency would confirm the understanding on behalf of the Government of the Republic of China.

I avail myself of this opportunity to renew to Your Excellency the assurances of my highest consideration.

(Signed) Henrik de KAUFFMANN

His Excellency
Docteur Wang Shih-chieh,
Minister for Foreign Affairs
of the Republic of China,
Nanking, China.

2. NOTE FROM H. E. THE MINISTER FOR FOR-EIGN AFFAIRS OF THE REPUBLIC OF CHINA TO H. E. THE ENVOY EXTRAORDINARY AND PLENIPOTENTIARY OF THE KINGDOM OF DENMARK

Nanking, May 20, 1946.

Sir,

I beg to acknowledge receipt of Your Excellency's Note of to-day's date reading as follows:

"In Article XVI of the Treaty signed to-day between the Kingdom of Denmark and the Republic of China for the Relinquishment of Extraterritorial Rights in China and the Regulation of Related Matters it has been stated that the Treaty shall come into force on the day on which our respective Governments have notified each other that the ratification has been effected.

"It being the desire of our Governments that the provisions of the Treaty should come into force immediately, it has been agreed however that in expectation of ratification the Treaty should come into force provisionally from to-day.

"I have the honor to confirm this understanding on behalf of the Government of Denmark and should be glad if Your Excellency would confirm the understanding on behalf of the Government of the Republic of China."

I have the honor on behalf of the Government of the Republic of China to confirm the understanding reached between you and me to the effect that the Treaty signed to-day between the Republic of China and the Kingdom of Denmark for the Relinquishment of Extraterritorial Rights in China and the Regulation of Related Matters should in expectation of ratification come into force provisionally from to-day. I avail myself of this opportunity to renew to Your Excellency the assurances of my highest consideration.

(Signed) WANG Shih-chieh

His Excellency
Monsieur Henrik de Kauffmann,
Envoy Extraordinary and Plenipotentiary
of the Kingdom of Denmark.

### EXCHANGE OF NOTES

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1. NOTE FROM H. E. THE MINISTER FOR FOREIGN AFFAIRS OF THE REPUBLIC OF CHINA TO H. E. THE ENVOY EXTRAORDINARY AND PLENIPOTENTIARY OF THE KINGDOM OF DENMARK

Nanking, May 20, 1946.

Sir.

In connection with the Treaty signed to-day by the Government of the Republic of China and the Government of the Kingdom of Denmark, in which the Danish Government relinquish their extraterritorial and related special rights in China, I have the honor to state that agreement has been reached on the following point:

With reference to Article V of the Treaty, it is understood that questions regarding "cautio judicatum solvi" and gratuitous legal assistance in Denmark shall be settled by special agreement between the two Governments. In the absence of such special agreement the rules and practices pertaining to "cautio judicatum solvi" and gratuitous legal assistance in Denmark that are applicable to nationals of other countries generally shall be applied to nationals of the Republic of China.

I shall be much obliged if Your Excellency will confirm the foregoing.

I avail myself of this opportunity to renew to Your Excellency the assurances of my highest consideration.

(Signed) WANG Shih-chieh

His Excellency

Monsieur Henrik de Kauffmann, Envoy Extraordinary and Plenipotentiary of the Kingdom of Denmark. 2. NOTE FROM H. E. THE ENVOY EXTRAOR-DINARY AND PLENIPOTENTIARY OF THE KINGDOM OF DENMARK TO H. E. THE MINISTER FOR FOREIGN AFFAIRS OF THE REPUBLIC OF CHINA

Nanking, May 20, 1946.

Sin.

In connection with the Treaty signed to-day between the Government of the Kingdom of Denmark and the Government of the Republic of China, in which the Danish Government relinquish their extraterritorial and related special rights in China, I have the honor to acknowledge the receipt of your note of to-day's date reading as follows:

"In connection with the Treaty signed to-day by the Government of the Republic of China and the Government of the Kingdom of Denmark, in which the Danish Government relinquish their extraterritorial and related special rights in China, I have the honor to state that agreement has been reached on the following point:

"With reference to Article V of the Treaty, it is understood that questions regarding "cautio judicatum solvi" and gratuitous legal assistance in Denmark shall be settled by special agreement between the two Governments. In the absence of such special agreement the rules and practices pertaining to "cautio judicatum solvi" and gratuitous legal assistance in Denmark that are applicable to nationals of other countries generally shall be applied to nationals of the Republic of China.

"I shall be much obliged if Your Excellency will confirm the foregoing."

I have the honor to confirm that the agreement which has been reached in connection with the Treaty signed to-day by the Government of the Kingdom of Denmark and the Government of the Republic of China is as set forth in the above note from Your Excellency.

I avail myself of this opportunity to renew to Your Excellency the assurances of my highest consideration.

(Signed) Henrik de KAUFFMANN

His Excellency
Docteur Wang Shih-chieh
Minister for Foreign Affairs
of the Republic of China,
Nanking.

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SINO-DANISH TREATY

FOR

THE RELINQUISHMENT OF

EXTRATERRITORIAL RIGHTS

IN CHINA

AND THE REGULATION OF

RELATED MATTERS