

Sec. 24. All suits against the Board shall be brought before the Court of Consuls at Shanghai. The Board shall be represented in suits by its Secretary.

Sec. 25. Members of the Board and persons employed by it shall not incur any personal responsibility for the votes and acts of the Board for contracts made or expenses incurred by the said body, when the said votes, acts, contracts, and expenses concern the carrying out or the enforcement, under the authority or by order of the Board, or of one of its branches, of the Regulations enacted by the said body.

Sec. 26. Besides the provisions mentioned in section thirteen of this Annex, the Board has power to enact, within the limits of its competency, all necessary Ordinances and Regulations and to fix fines for the violation thereof.

Sec. 27. The Ordinances and Regulations mentioned in section twenty-six shall be submitted for the approval of the Consular Body; if two months after presenting the draft of the proposed Ordinances or Regulations the Consular Body has made no objection or suggested no modification, it shall be considered as approved and shall come into force.

Sec. 28. The Board has power to acquire by purchase the lands necessary for carrying out the works of improvement and conservancy of the Whangpoo, and to dispose of them.

If, for this purpose, it shall be deemed necessary to expropriate land, the Rules laid down in Article 6 (a) of "The Land Regulations for the foreign Settlements of Shanghai, north of the Yang-king-pang," shall be followed. The price shall be fixed by a Committee consisting of:—

1. A person chosen by the authority to whose jurisdiction the owner is subject;
2. One chosen by the Board; and
3. One chosen by the Senior Consul.

Sec. 29. Riparian owners shall have the refusal of all land made in front of their properties by the reclamation carried out for the improvement of the waterways in question. The purchase price of these lands shall be fixed by a Committee composed in the same manner, as provided for in section twenty-eight.

Sec. 30. The revenues of the Board will be composed of:—

(a.) An annual tax of one-tenth of one per cent. on the assessed value of all lands and buildings in the French Concessions and the International Settlement.

(b.) A tax of equal amount on all property with water frontage on the river Whangpoo, between a line drawn from the lower limit of the Kiang-nan Arsenal toward the mouth of Arsenal Creek to the place where the Whangpoo falls into the Yang-tsze. The assessed value of this property shall be fixed by the Committee mentioned in section twenty-eight.

(c.) A tax of five candereens per ton on all vessels of non-Chinese type and of a tonnage exceeding one hundred and fifty tons entering or leaving the port of Shanghai, Woosung, or any other port on the Whangpoo.

Ships of non-Chinese type, of one hundred and fifty tons and under, shall pay a quarter of the above-mentioned tax. These taxes shall only be leviable on each vessel once every four months, irrespective of the number of its entrances and clearances.

Foreign-built ships navigating the Yang-tsze and only stopping at Woosung to take their river papers shall be exempted from the above-mentioned taxes on condition that on their way up and down they shall not carry on any commercial transactions at Woosung. They shall, however, be allowed to take in water and supplies at Woosung.

(d.) A tax of one-tenth of one per cent. on all merchandise passing through the Customs at Shanghai, Woosung, or any other port on the Whangpoo.

(e.) An annual contribution from the Chinese Government equal in amount to the contribution furnished by the different foreign interests.

Sec. 31. The collection of the taxes enumerated in section thirty shall be effected through the medium of the following authorities:—

Tax (a), by the respective Municipalities.

Tax (b), to be collected from persons under the jurisdiction of Governments represented in China by their respective Consuls; the taxes to be collected from Chinese, or from persons whose Governments are not represented in China, by the Taotai.

Taxes (c) and (d), by the Imperial Maritime Customs.

Sec. 32. Should the total annual revenues of the Board not be sufficient for the payment of interest and the amortization of the capital to be borrowed for carrying out the works, for keeping up the completed works, and for the service in general, the Board shall have the power to increase in the same proportion the various taxes on shipping, on land and buildings, and on trade to a figure sufficient to supply its recognized needs. This increase shall be applicable in the same proportion to the contribution of the Chinese Government mentioned in paragraph (e) of section thirty.

Sec. 33. The Board shall give notice to the High Commissioner of Southern Trade and the Consular Body of the necessity for the increase mentioned in section thirty-two. It shall only come into force after its approval by the Consular Body.

Sec. 34. The Board shall submit to the High Commissioner of Southern Trade and to the Consular Body, within six months after the closing of each financial year, its annual accounts, accompanied by a detailed Report on the general management and the receipts and expenditures during the preceding twelve months. This Report shall be published.

Sec. 35. If the exact and published accounts of receipts and expenditures show a balance of receipts over expenses, the taxes mentioned in section thirty shall be proportionately reduced by the Board and the Consular Body, acting conjointly. This reduction shall be applicable in the same proportion of the contribution of the Chinese Government mentioned in paragraph (e) of section thirty.

Sec. 36. After the expiration of the first term of three years, the Signatories shall examine, by common accord, such of the provisions contained in the present Annex as may require revision. A fresh revision may take place under the same conditions every three years thereafter.

Sec. 37. Within the limits mentioned in section thirteen, and subject to their approval by the Shanghai Consular Body, the Ordinances of the Board shall have the force of law for all foreigners.

Peking, September 7, 1901.