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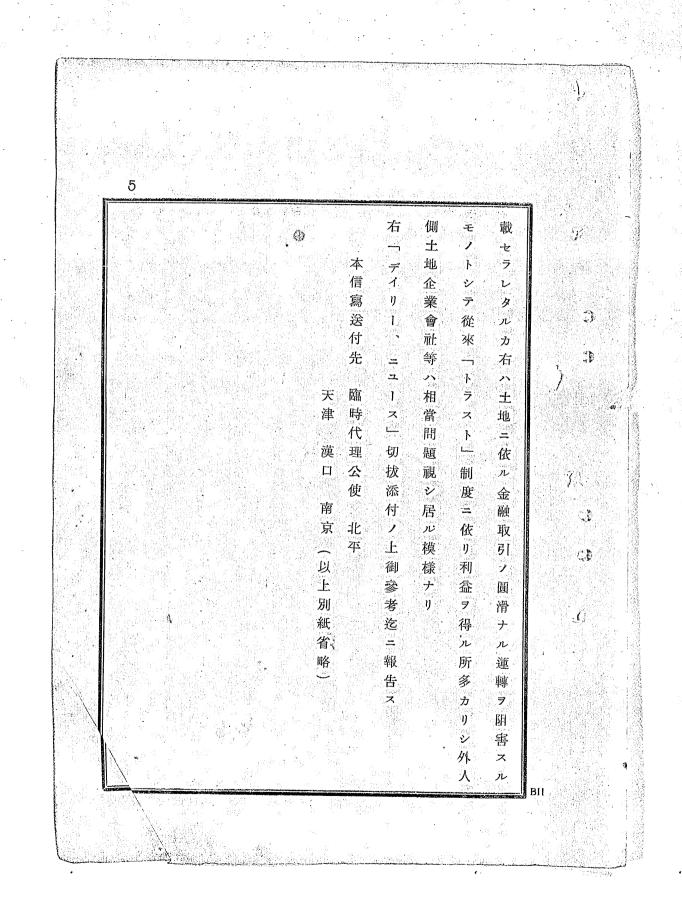
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## CONSULAR BODY DECISION ON REGISTRATION

Important Ruling Regarding Property Outside the Settlements

OWNERSHIP QUESTION INVOLVED

Registration Only for Bona Fide Owners: No Evasion by the Chinese

(SPECIAL TO THE N.-C.D.N.)

THE British and other Consular authorities have, the "North-China Daily News" understands, decided no louger to record on their property registers property which, being outside the Settlement or the French Concession, is not the bona fide property of the national requesting the registration. The intention of the Consuls is to refuse to give sanction to transactions implying Chinese evasion of recognition of the Chinese authorities' jurisdiction or involving what is virtually the sale of foreign rights.

of foreign rights.

This decision has caused much apprehension among certain business interests in Shanghai. It is pointed out that it puts an end to a practice of very long standing. Of this practice large numbers of Chinese have made considerable use, for they have thereby obtained protection on which they can rely against unsatisfactory conditions arising out of the insecurity of life and property in China itself.

LAND COMPANIES AND THE DECISION

Chinese landowners have been plus to engage foreign experts to manage their property and to carry out important structural operations. Thereby important business interests have been established in the Settlements, and those interests, besides employing large numbers of foreigners and Chinese, have also added to the volume of trade with Europe and America. The decision that registration depends on the establishment of a bone fide ownership of property involves, in the view of the Land Companies, the encroachment of the Consuls in their executive capacity on judicial functions. If the enquiry which they make is not answered they have, it is stated, the power to refuse to register. On the other hand, if the enquiry is answered, it is not possible, obviously, to ascertain, except by procedure of a judicial character, whether the absence of bona

sideration the interests involved. They argue, moreover, that under the Treaties the British, and therefore other foreign residents, have a prescriptive right to buy and sell land outside the Settlements and that this action of the Consuls is in fact a restriction of that right. It may be admitted that conditions have been created which were not foreseen at the time when the practice was first instituted, or when the Treaties were made, but, taking a line from other British Dominions were similar conditions have arisen, the objection is that the scales have unavoidably been weighted in favour of the status quo.

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Position Under Review

It is recognized that the whole position of this extra-Settlement land is under review and will be much affected by the findings of Mr. Justice Feetham. This, however, seems to the land-owners an additional reason for avoiding action which may give one party or the other less scope for effecting a compromise, apart altogether from the fact that it may be, as it is, definitely anticipating the result of the case which is in a very real sense sub judice.

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The "North-China Daily News" learns that the land-owners do not suggest that the Consular Body have been wanting in frankness in dealing with this matter, and they fully appreciate the policy which dictates this sudden executive decision. They suggest, however, that it is premature and unnecessary to come to such a derision when in a few months' time the position may be far clearer than it is now.

The enterprises with which the land investment companies have been concerned have been legitimate, have contributed greatly to the advancement of Shanghai, to the amenities of its Settlements and to the stimulation of trade. The view is held, therefore, that the Consular Body would do well to reconsider the position in the light of these representations. of these representations.

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