

TREATY OF NANKING*

Treaty of Peace, Friendship, Commerce, Indemnity,
&c., between Great Britain and China

Signed at Nanking on 29 August 1842

Article III

It being obviously necessary and desirable that British subjects should have some port whereat they may careen and refit their ships when required, and keep stores for that purpose, **His Majesty the Emperor of China cedes to Her Majesty the Queen of Great Britain, &c., the Island of Hong Kong**, to be possessed in perpetuity by Her Britannic Majesty, her heirs and successors, and to be governed by such laws and regulations as Her Majesty the Queen of Great Britain, &c., shall see fit to direct.

FIRST PEKING CONVENTION*

Convention of Peace and Friendship between
Great Britain and China

Signed at Peking on 24 October 1860

Article VI

With a view to the maintenance of law and order in and about the harbour of Hong Kong, **His Imperial Majesty the Emperor of China agrees to cede to Her Majesty the Queen of Great Britain and Ireland**, and to her heirs and successors, to have and to hold as a dependency of Her Britannic Majesty's Colony of Hong Kong, **that portion of the township of Kowloon, in the Province of Kwang-tung, of which a lease[†] was granted in perpetuity to Harry Smith Parkes, Esquire, Companion of the Bath, a member of the Allied Commission at Canton, on behalf of Her Britannic Majesty's Government, by Lan Tsung Kwang, Governor-General of the Two Kwang.**

It is further declared that the lease in question is hereby cancelled; that the claims of any Chinese to any property on the said portion of Kowloon shall be duly investigated by a Mixed Commission of British and Chinese officers; and that compensation shall be awarded by the British Government to any Chinese whose claim shall be by the said Commission established, should his removal be deemed necessary by the British Government.

*Emphasis added

[†]See below

A DEED OF LEASE*

20th March, 1860

Between Laou, wearing a decoration of the first rank, a Director of the Board of War, Censor of the Right, Governor General of the Provinces of Kwang-tung and Kwang-se, and Commander-in-Chief of the same, on the part of the Chinese government, and Harry Smith Parkes, Esquire, one of the Allied Commissioners for the Government of the City of Canton on the part of the British Government, to hold in proof of the undermentioned agreement.

WHEREAS Tseem-sha-tsuy and its neighbourhood situated in the sub-district of Kowloon in the District of Sun-on and consisting for the most part of barren hills that cannot be cultivated, has hitherto formed a place of resort for thieves and outlaws, who, availing themselves of the immediate proximity of the City of Victoria, constantly cross to Hongkong, and commit depredations in that settlement to the serious injury of British Subjects who can obtain no redress against these marauders, THEREFORE Laou, the Governor General, and Harry Smith Parkes, the Commissioner, aforesaid, have AGREED and DETERMINED that **all that part of the Kowloon peninsula lying South of the Kowloon Fort to the Northern-most point of Stone-cutters Island, together with that island,** as shown on the accompanying map, **shall be leased,** as a preliminary measure, **to Harry Smith Parkes, the Commissioner aforesaid, acting on behalf of the British Government,** in order that the latter may exercise complete control over the same, and take measures for the protection of the good population, and the expulsion or punishment of the bad, as well as for bringing the whole locality into order, and preventing it becoming a resort for thieves. It is further STIPULATED and AGREED that a Rental of Five Hundred Taels of Silver shall be annually paid for the same to the local Chinese Authorities, and that no claim can ever be made by the Chinese Government for the return of the said ground so long as the British Government punctually pay to them the said amount of Rent. And this agreement will continue in force until on due representation to be made by the Governor General Laou aforesaid to the Supreme Government of China, the Commands of His Imperial Majesty shall be received authorising the conclusion of other arrangements of a more permanent character.

Thus done in Duplicate, each of the parties aforesaid retaining one copy, at Canton, this 20th day of March in the year of the Christian Era one thousand eight hundred and sixty, being the 28th day of the 2nd month of the 10th year of the Reign of the Emperor Heen-fung.

* Emphasis added

SECOND PEKING CONVENTION*

Convention between Great Britain and China
respecting an Extension of Hong Kong Territory

Signed at Peking on 9 June 1898

Whereas it has for many years past been recognised that an extension of Hong Kong territory is necessary for the proper defence and protection of the Colony:

It has now been agreed between the Governments of Great Britain and China that the limits of British territory shall be enlarged under lease to the extent indicated generally on the annexed map. The exact boundaries shall be hereafter fixed when proper surveys have been made by officials appointed by the two Governments. The term of this lease shall be ninety-nine years. It is at the same time agreed that within the city of Kowloon the Chinese officials now stationed there shall continue to exercise jurisdiction except so far as may be inconsistent with the military requirements for the defence of Hong Kong. Within the remainder of the newly-leased territory Great Britain shall have sole jurisdiction. Chinese officials and people shall be allowed as heretofore to use the road from Kowloon to Hsinan.

It is further agreed that the existing landing place near Kowloon city shall be reserved for the convenience of Chinese men-of-war, merchant and passenger vessels, which may come and go and lie at their pleasure; and for the convenience of movement of the officials and people within the city.

When hereafter China constructs a railway to the boundary of the Kowloon territory under British control, arrangements shall be discussed.

It is further understood that there will be no expropriation or expulsion of the inhabitants of the district included within the extension, and that if land is required for the public offices, fortifications, or the like official purposes, it shall be bought at a fair price.

If cases of extradition of criminals occur, they shall be dealt with in accordance with the existing Treaties between Great Britain and China and the Hong Kong Regulations.

* Emphasis added

† See below

The area leased to Great Britain as shown on the annexed map includes the waters of Mirs Bay and Deep Bay, but it is agreed that Chinese vessels of war, whether neutral or otherwise, shall retain the right to use those waters.

This Convention shall come into force on the first day of July, eighteen hundred and ninety-eight, being the thirteenth day of the fifth moon of the twenty-fourth year of Kuang Hsu. It shall be ratified by the Sovereigns of the two countries, and the ratifications shall be exchanged in London as soon as possible.

In witness whereof the undersigned, duly authorised thereto by their respective Governments, have signed the present Agreement.

Done at Peking in quadruplicate (four copies in English and four in Chinese) the ninth day of June in the year of Our Lord eighteen hundred and ninety-eight, being the twenty-first day of the fourth moon of the twenty-fourth year of Kuang Hsu.

Delimitation of the Northern Boundary of the New Territories

19 March 1899

The Northern Boundary commences at the point of high water-mark in Mirs Bay where meridian of 114°30' East cuts the land and follows that high water-mark to the point marked with a peg immediately to the West of the market town locally known as Tung Wo Hu and sometimes called Shat'aukok. It then proceeds straight inland for a short distance till it meets a narrow path between fields on the right and a tidal flat on the left. A peg was driven in to the East of the path, and it was agreed that the whole of the path is within British territory but may be used by the inhabitants of both countries. The line follows this path until it reaches a corner of the market town of Tung Wo Hu, where another peg was driven, and then proceeds until it comes to the bed of a wide stream which is at present dry. It was agreed that the boundary should follow the centre of this river bed. The land to the right of the river, that is, the land on the left bank being within Chinese territory; the land to the left of the river, that is, the land on the right bank being within British territory. This line along the middle of the river's bed continues until a road leading to the village Kang Hau is reached. A peg was driven at the point where the boundary line leaves the river and follows this road. It was agreed that the whole of the road is within British territory, but may be used by the inhabitants of both countries. This road leads up a steep ravine crossing and recrossing the stream. It was agreed that the waters of this stream whether within the British or the

Chinese boundary should be available for the inhabitants of both countries. This road passes through a gap about 500 feet above sea level forming the dividing ridge between the Shat'aukok and Sham Chun valleys. The boundary was marked at this point with a peg. It was agreed that the road from this gap should be the boundary and is within British territory but may be used by the inhabitants of both countries. This road passes down the right-hand side of the ravine and has a stream on the left running to Kang To. At the foot of the ravine this road crosses a larger stream coming from the direction of Ng Hung Shan and recrosses it within a distance of 100 yards. This road passes Kang To village on the right and reaches the Sham Chun river at a distance of about a quarter of a mile below Kang To. It was agreed that up to this point this road is within British territory but may be used by the inhabitants of both countries. It was also agreed that the waters of the stream running from Ng Tung Shan referred to above shall be available for cultivators of land in both territories. A peg was driven in to mark the point where this road as a boundary ended. The boundary then follows the right or northern bank of the river generally known as the Sham Chun river down to Deep Bay, all the river and the land to the south being within British territory. The Western, Eastern, and Southern boundaries are as laid down in the Convention, the whole of the Island of Lantau being within British territory.

The waters of Mirs Bay and Deep Bay are included in the area leased to Great Britain.

Signed in the Council Chamber, Hong Kong, this 19th day of March, 1899.